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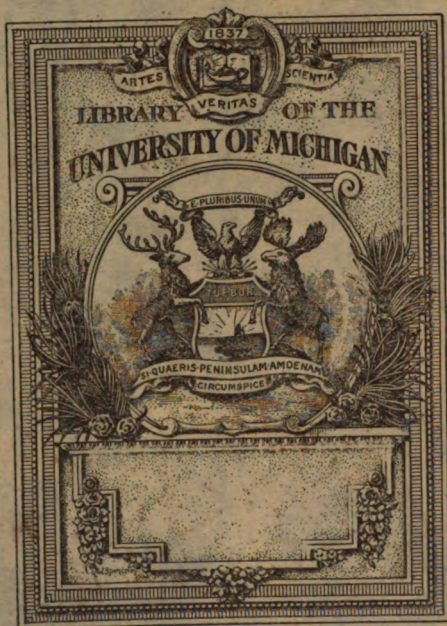
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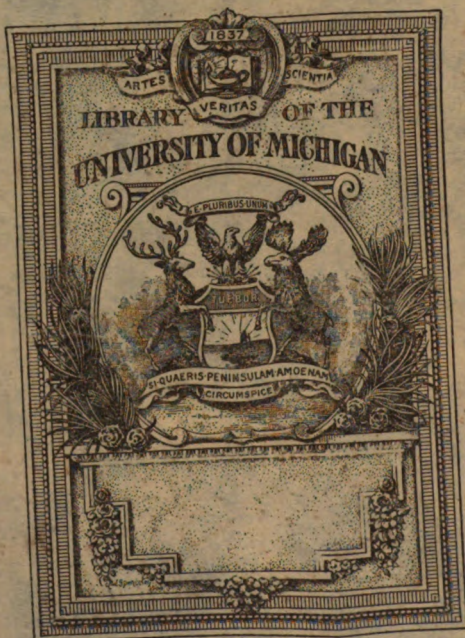
*Proceedings of the  
Massachusetts Historical ...*

Massachusetts Historical Society













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**PROCEEDINGS**  
**OF THE**  
**MASSACHUSETTS HISTORICAL SOCIETY.**

**Committee of Publication.**

**EDWARD J. YOUNG.**

**ALEXANDER McKENZIE.**

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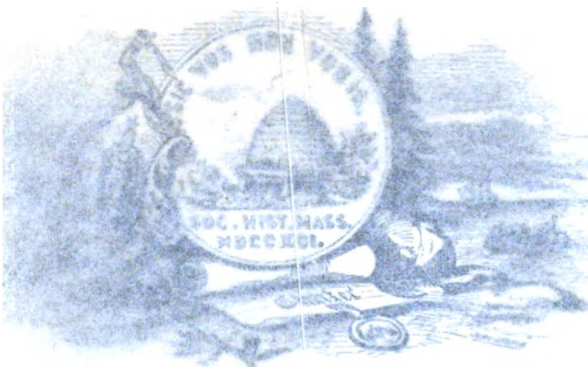


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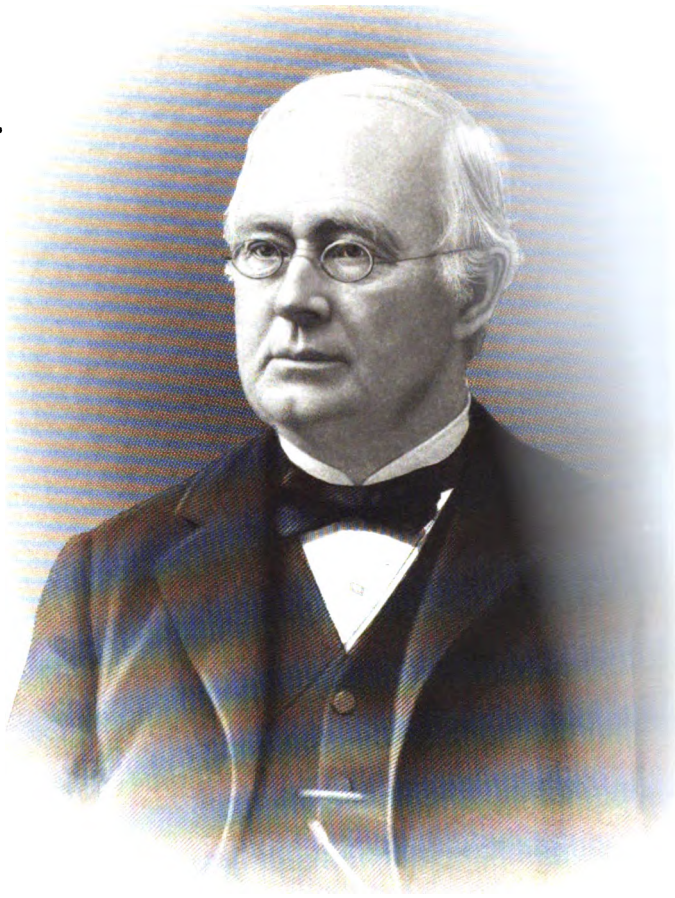
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1851



SOCIETY



Geo F Hoar

PROCEEDINGS  
OF THE  
Massachusetts Historical Society.

SECOND SERIES. — VOL. XIX.

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1905.

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of the Robert Charles Billings Fund.



SOCIETY.

C.VI.



PROCEEDINGS  
OF THE  
Massachusetts Historical Society.

SECOND SERIES. — VOL. XIX.

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1905.

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Published at the Charge of the Robert Charles Billings Fund.



BOSTON:  
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MDCCCXVI.



**University Press:**  
**JOHN WILSON AND SONS, CAMBRIDGE.**

## PREFACE.

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THIS volume comprises the record of the nine stated meetings held during the calendar year 1905. In it will be found a large number of hitherto unpublished documents, among which are the letters of Edmund Pendleton and Mrs. John T. Kirkland and the extracts from the Memoirs of the Rev. Dr. John Pierce. Embodied in the communications of MR. NOBLE on the Boundary Disputes of Massachusetts and on Highway Robbery in Massachusetts, of MR. FORD on the Case of Samuel Shrimpton, and of the PRESIDENT on John Quincy Adams in the Twenty-second Congress, are also many original documents. Besides these there are important discussions on the Negro in America by G. STANLEY HALL, on Abraham Bishop and his Writings by MR. FRANKLIN B. DEXTER, by the PRESIDENT on Mr. Rhodes's fifth volume and Some Phases of the Civil War, and by MR. DUNNING on the authorship of Andrew Johnson's first annual message. The memoirs of deceased members, each of which is accompanied by a portrait, are of George F. Hoar by NATHANIEL PAINE and G. STANLEY HALL, of Walbridge A. Field by JOHN NOBLE,

Henry Lee by JOHN T. MORSE, Jr., John S. Brayton by WILLIAM W. CRAPO, Henry W. Taft by JAMES M. BARKER, and Uriel H. Crocker by SAMUEL S. SHAW.

At the meeting of the Society in January of this year the resignation of the Rev. Dr. YOUNG as Recording Secretary was received and accepted with regret. Elected at the Annual Meeting of 1883, as the successor of our greatly lamented associate GEORGE DEXTER, he was chairman *ex-officio* of the Committee for publishing the Proceedings for more than twenty-two years. Down to the end of 1889 the principal labor of preparing and publishing the successive volumes devolved on him. After the adoption of a new by-law and the appointment in that year of an editor of the Society's publications, the chairman was relieved of this duty and responsibility. It need not be said how admirably Dr. Young had discharged his increasingly onerous duties, and how greatly the Society was indebted to him. He was uniformly prompt, exact, and methodical and a sound and painstaking critic. The five volumes edited wholly or in larger part by him will always remain a monument of his industry, fidelity, and good judgment; and down to his resignation as Secretary he continued to take an active part in the work of the Committee.

For the Committee,

CHARLES C. SMITH.

Boston, March 10, 1906.

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## MEMBERS DECEASED.

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*Members who have died, or of whose death information has been received, since the last volume of Proceedings was issued, February 11, 1905, arranged in the order of their election, and with date of death.*

### *Resident.*

Robert Charles Winthrop, Jr., A.M. . . . .	June 5, 1905.
William Phineas Upham, A.B. . . . .	Nov. 23, 1905.
Hon. Stephen Salisbury, A.M. . . . .	Nov. 16, 1905.
Hon. James Madison Barker, LL.D. . . . .	Oct. 8, 1905.

[The Membership of John Carver Palfrey, A.M., was terminated by resignation Dec. 14, 1905.]

### *Corresponding.*

Abbé Henry Raymond Casgrain, Litt. D. . . . .	Feb. 11, 1904.
Hon. John Hay, LL.D. . . . .	July 1, 1905.

[The Membership of Hon. William Ashmead Courtenay, LL.D., was terminated by resignation Dec. 14, 1905.]

# PROCEEDINGS

OF THE

## MASSACHUSETTS HISTORICAL SOCIETY.

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### JANUARY MEETING, 1905.

THE stated meeting was held on Thursday, the 12th instant, at three o'clock, P.M. In the absence of the President, who had gone abroad for the winter and early spring, the senior Vice-President, Hon. SAMUEL A. GREEN, LL.D., was in the chair.

The record of the last meeting was read and approved; and reports were presented by the Librarian, the Corresponding Secretary, and the Cabinet-Keeper.

Hon. John D. Long, LL.D., was elected a Resident Member; and Professor William A. Dunning, of Columbia University, New York, was elected a Corresponding Member.

The resignation of Rev. Arthur L. Perry, LL.D., as a Resident Member, was announced; and it was stated that a vacancy had also been created by the change of domicile of James Schouler, LL.D., who had ceased to be a citizen of Massachusetts.

Mr. CHARLES HENRY HART, of Philadelphia, a Corresponding Member, read the following paper:—

*Edward Savage, Painter and Engraver, and his Unfinished Copper-plate of "The Congress Voting Independence."*

At the meeting of this Society held in November of 1859, there was presented, from Samuel T. Snow, "a copper-plate engraving of the Declaration of Independence by an unknown

artist ; together with the copper-plate itself.”<sup>1</sup> The plate was done in the stipple manner and was unfinished. After a few impressions were struck off, it was placed in the repository of the Society, where it has since remained. Researches made by me during the past few years have resulted in ascertaining just what this picture was, and who was the “unknown artist” who engraved the copper-plate presented by Mr. Snow well on to half a century ago.

Having, at the request of the Historical Society of Pennsylvania, prepared an account of the original painting from which the plate this Society owns was made, it is not necessary to repeat that history here, as it will be found, with a reproduction of the painting, in the *Pennsylvania Magazine of History and Biography* for January, 1905. Suffice it to say that the picture was painted by Robert Edge Pine, a British painter, who came to this country in 1784 and died four years later, leaving this painting unfinished ; that it is a canvas  $26\frac{1}{2} \times 19$  inches, fractionally larger than the plate, and was most aptly called by Pine “The Congress Voting Independence” ; that it became the property of Edward Savage, who finished it ; and that it hung in the old Boston Museum, on Tremont Street, until 1892, when it was acquired by the writer, and that it now belongs to the Historical Society of Pennsylvania. My investigations for that history produced the material here utilized as being more germane to the copper-plate than to the oil painting.

In a lot of miscellaneous papers I bought at the sale of the manuscripts and correspondence of the artist John Trumbull, in Philadelphia, several years since, I found, by a singular chance, a letter from Edward Savage, son of the painter, to Colonel Trumbull, which, introduced by the history I have established of the painting, shows that the copper-plate in this Society’s possession was the work of Edward Savage.<sup>2</sup> The letter, which I now have the pleasure of presenting to the Society, that it may go with the plate, reads as follows : —

Boston, April 11th, 1818.

SIR, — I take the liberty to write to you concerning the print of Congress ’76 wich my Farther (late Edward Savag) had nerely con-

<sup>1</sup> *Proc. Mass. Hist. Soc.*, 1858-60, p. 391.

<sup>2</sup> I first made public this fact in the *Calendar of the Emmet Collection*, New York Public Library Bulletin, for December, 1897, p. 357.

pleated. the same subject I understand you are about Publishing. as the one will hurt the other I do propose seling the Plate and Paper to you on liberal conditions, which I wish you to name in your letter if you see fit to write on the subject. the Plate is now in a situation that it may be Finis'd in a few weeks

yours &c &c

EDW. SAVAGE

Col TRUMBULL.

P S direct yours E. S. Boston

It is endorsed by Trumbull: "Mr. Edward Savage Boston 11th April 1818 & Answer. Offer of his Father's picture & plate of Independence." Fortunately Colonel Trumbull's custom was to draft his reply upon the letter he was answering. He wrote:—

New York 30th April 1818

MR. ED. SAVAGE.

SIR,— Your fav. of the 11th offering to sell me the plate & painting prepared by your Father of the Congress of 1776, came duly to hand. My Painting of the subject was begun more than 30 years ago and all the heads were soon after secured. My composition is also nearly completed; so that the works of Mr. Savage cannot be of any possible use to me. My copper-plate cannot be finished in less than 2 or 3 years, so that, as yours is nearly ready I shall not interfere with your publication.

I am Sir your obt servt

J T <sup>1</sup>

Having thus shown that the unfinished plate under consideration was the work of Edward Savage, let us pay some attention to the career of this Massachusetts painter and engraver, which, so far as I know, has never been traced and recorded with that particularity and accuracy his work and his place in the history of American art both deserve and require. It is true Dr. Justin Winsor published, in the Harvard Graduates' Magazine, for 1895, a paper on the portrait of Washington painted by Savage for the University, but I regret to say he was satisfied to follow and adopt printed authorities not always accurate in their statements and deductions, either as to the man or to his work.

<sup>1</sup> It seems odd that Trumbull, both in the endorsement of the letter and in his answer to Savage, should have made the mistake of supposing he was offered the painting, when the letter distinctly offered only the "Plate and Paper," the latter presumably for printing purposes.

Edward Savage was born in Princeton, Worcester County, Massachusetts, November 26, 1761, and died there suddenly, July 6, 1817. He was the second child of Seth and Lydia (Craige) Savage, and grandson of Edward Savage who came from Ireland, to Massachusetts, in 1696, whither his father, Abraham Sauvage, had been driven, from St. Algis, Picardy, in France, by the revocation of the Edict of Nantes. Savage is said to have been originally a goldsmith, a trade that has graduated not a few engravers. He could not, however, have followed it for any great length of time, as he was only twenty-eight when he left Massachusetts for New York, with a letter from the President of Harvard to Washington, requesting him to sit for his portrait for the University. This is the first knowledge we have of Savage as an artist, and we are in profound ignorance of what preparation he had to essay so important a commission. That he had some experience, and perhaps instruction, goes without saying, for even though his portrait of Washington is not the best art, yet it could not have been painted by an absolutely inexperienced tyro.

President Willard wrote, November 7, 1789: —

“Mr. Savage, the bearer of this, who is a painter and is going to New York, has called on me and of his own accord has politely and generously offered to take your portrait for the university, if you will be so kind as to sit. As it would be exceedingly grateful to all the governors of this literary society, that the portrait of the man we so highly love, esteem and revere, should be the property of and placed within Harvard college, permit me Sir, to request the favor of your sitting for the purpose which will greatly oblige the whole corporation.”

To it Washington replied: <sup>1</sup> —

NEW YORK 23 December 1789

SIR, — Your letter of the 7th ultimo was handed to me a few days since by Mr. Savage, who is now engaged in taking the portrait, which you and the governors of the seminary over which you preside have expressed a desire for, that it may be placed in the philosophical chamber of your University. I am induced Sir, to comply with this request from a wish that I may have to gratify, as far as with propriety may be done, every reasonable desire of the patrons and promoters of science. And at the same time I feel myself flattered by the polite manner in

<sup>1</sup> Sparks's Writings of Washington, vol. x. p. 64.

which I am requested to give this proof of my sincere regard and good wishes for the prosperity of the University of Cambridge.

I am Sir, with great esteem

Your obd. Servt.

GO. WASHINGTON.

To JOSEPH WILLARD, President of Harvard.

Before the date of his reply, Washington, as we see by his letter, had given Savage his first sitting. On December 21st he records in his Diary<sup>1</sup> with his accustomed precision : —

“Sat from ten to one o'clock for a Mr. Savage, to draw my Portrait for the University of Cambridge, in the State of Massachusetts, at the request of the President and Governors of the said University.”

A week later, on December 28th, he enters : —

“Sat all the forenoon for Mr. Savage who was taking my portrait.”

And on January 6th, 1790, we read : —

“Sat from half after eight o'clock till ten for the portrait painter Mr. Savage, to finish the picture of me which he had begun for the University of Cambridge.”

Although the portrait was finished in January of 1790, it seems not to have been delivered to Harvard until the end of August in the following year. In the meantime Savage painted a second portrait of Washington, for John Adams, now, I believe, in the possession of the honored head of this Society. This second portrait is always spoken of as a replica of the Harvard portrait ; but it is clearly not wholly so, for, again on referring to the Diary, we find an entry on April 6, 1790 : —

“Sat for Mr. Savage at the request of the Vice President to have my Portrait drawn for him.”

<sup>1</sup> The Diary of George Washington from 1789 to 1791, New York, 1860. The original Diary in which these entries were written belonged, at the time this volume was printed and for many years afterward, to Mr. James Carson Brevoort, President of the Long Island Historical Society, at Brooklyn, in whose library I saw the two precious manuscript volumes containing the Diary. But since Mr. Brevoort's death, in 1887, all trace of these unique personal memorials of Washington has been lost, and it would be most gratifying if this note should be the cause of revealing their hiding-place.

A comparative study of the two portraits, which I have been able to make only through the medium of reproductions,<sup>1</sup> shows that while the details and general characteristics of the two are substantially the same, there is a marked difference in the expression of the eyes and in the facial line on the left side of the face, not to the improvement of the later portrait. Each is on a canvas 25 × 30 inches, and Josiah Quincy declared the Harvard picture to be the best likeness he had ever seen of Washington, "though its merits as a work of art were but small."<sup>2</sup> John Adams too must have approved of it, or he would not have employed Savage to repeat it for him and asked Washington to give the painter sittings for the purpose. To me it is a very satisfying portrait, especially in Savage's two plates, following as it does quite closely the lines of the Houdon bust, which is, as Gilbert Stuart proclaimed, the canon by which all portraits of Washington must be judged, although Stuart's own famous painting, the Athenæum head, falls when tested by it.

In 1791 Savage went to London, where he is said to have studied under Benjamin West, and it is inferred that he visited Italy, from the inscription on the whole-length portrait of Columbus, engraved by David Edwin, and published by Savage, at Philadelphia, in 1800, which states that "the portrait of Columbus is copied from the original picture, by E. Savage, in the collection of the Grand Duke of Tuscany, at Florence." While in London, he engraved and published, after his own paintings, bust portraits, in stipple, of General Knox (December 7, 1791) and of Washington (February 7, 1792), and his well-known three-quarter-length mezzotint portrait of the President (June 25, 1793) seated at a table upon which are a cocked hat and a plan of the city of Washington. These are the first plates we know Savage to have engraved, and it would be very interesting to know who his instructors were that he should become so proficient as a stipple engraver and mezzotint scraper at the very opening of his career. That he must have had instruction, at least in the mechanical process

<sup>1</sup> History of the Centennial Celebration of the Inauguration of George Washington, N. Y., 1892. In this volume the Harvard College portrait is inscribed the Adams portrait, and the Adams portrait is inscribed the Harvard College portrait, — an error very important to be noted in studying the reproductions of the two portraits.

<sup>2</sup> Edmund Quincy's Life of Josiah Quincy, Boston, 1867, p. 50.

of engraving, beyond what he might have learned as a goldsmith, is quite clear, and no matter who advised him in stippling, he shows in his portraits of Knox and of Washington, in this manner, individual qualities that I know in the work of no other engraver. I have yet to see stipple plates executed just like these portraits. His mezzotint portrait of the President was his first work in that style, as he writes to Washington from London, October 6, 1793:—

“I have taken the liberty to send two prints. The one done from the portrait I first sketched in black velvet, labours under some disadvantages as the Likeness never was quite finished. I hope it will meet with the approbation of yourself and Mrs. Washington as it is the first I ever published in that method of Engraving. The portrait of Doctor Franklin which is published as the companion, is done from a picture in the possession of Mr. West, President of the Royal Academy. The picture has been done some years and was thought very like at the time when done. I have the pleasure to inform you that both of those prints are approved of by the artists. Particularly Mr. West, whose Friendship and servility I have the honor to receive. I expect to embark for my native country about March next.”

It is clear, from this letter, that there must have been some sittings given by Washington for this portrait “in black velvet,” or Savage would not say that “the likeness never was quite finished.” The original of this mezzotint is painted on a panel, 14 × 18 inches, the same size as the plate, and is signed “E. Savage, 1793.” Of course, if it were “sketched” from life and “the likeness never was quite finished,” it could not have been painted in 1793. Savage was then abroad and the date must have been placed upon it in London at the time it was finished. It is one of the best paintings by Savage that I have seen and is owned by the painter's grandson, Mr. Charles H. Savage, of Dartford, Wisconsin. The mezzotint is a remarkable example of scraping for a first attempt, as is the Knox for a first stipple plate, and we know of no prints by Savage before these. Both of these plates are, in early state, before they became worn, as is also the stipple portrait of Washington, exceedingly fine specimens of stipple and of mezzotinto work. That Savage was not deficient in the commercial instinct is shown by the dubious inscription he placed upon the three-quarter-length Washington: “From the Original Portrait painted at the re-



quest of the Corporation of the University of Cambridge in Massachusetts.”<sup>1</sup>

Savage returned to this country, and was married at Boston, on October 13, 1794, by the Rev. Samuel West to Sarah Seaver.<sup>2</sup> Soon after, he settled in Philadelphia, where his eldest brother, John Savage, was located as a merchant, and here, in July of 1795, he exhibited the first panorama ever shown in that city. It represented London and Westminster, and a newspaper of the day said it was painted “in a circle and looks like reality.” It must have been about this time, also, that Savage joined forces with Daniel Bowen, in the New York Museum, “a mingled establishment, half painting gallery, half museum,” says Dunlap,<sup>3</sup> which in 1795 was taken to Boston and opened at “The Head of the Mall,” as the Columbian Museum, its chief attraction being the collection of pictures painted by Robert Edge Pine, and after his death purchased from his widow by Bowen, and which were to Washington Allston his first masters in the coloring of the figure.<sup>4</sup> The Museum, with a large portion of its contents, was burned January 15, 1803. In 1806 Bowen and W. M. S. Doyle, an indifferent portrait-painter, erected the Museum building on Tremont Street, which the next year was destroyed by fire, rebuilt, and kept up until 1825, when the Columbian Museum passed to the New England Museum. Fifteen years later it was purchased by Moses Kimball, who maintained it as the Boston Museum for more than half a century. To the gallery of this museum Savage contributed several important paintings, including his portraits of General Knox, now belonging to Clarence W. Bowen, of New York; of Robert Morris, belonging to the writer; of the Washington Family, belonging to the Democratic Club, New York; and his completion of Pine’s painting of “The Congress Voting Independence,” already mentioned.

While in Philadelphia Savage issued, after his own paintings, mezzotint portraits of Anthony Wayne (June 1, 1796),

<sup>1</sup> For engravings, by others, after Savage’s portraits of Washington, see Nos. 214 to 246, in Catalogue of the Engraved Portraits of Washington. By Charles Henry Hart. New York, The Grolier Club, 1904.

<sup>2</sup> This lady survived her husband forty-four years, dying at Lancaster, Massachusetts, January 27, 1861, aged ninety-six.

<sup>3</sup> Dunlap’s History of the Arts of Design, N. Y., 1834, vol. ii. p. 261.

<sup>4</sup> Flagg’s Life of Allston, London, 1898, p. 13.

of Dr. Rush (February 6, 1800), and of Jefferson (June 1, 1800), and folio plates, in stipple, of "Liberty" (June 1, 1796), and of "The Washington Family" (March 10, 1798). This last picture, well known by his engraving and from copies of it, requires more than a passing notice in a memorial of Edward Savage, as every one who has written upon the subject, that I know, states that the head of Washington in the family piece is from the Harvard College portrait, and that of Mrs. Washington from the portrait painted for John Adams. It is remarkable how such statements can be made and given currency when a careful study and comparison of the several paintings completely disproves them. The portrait of Washington in both pictures, it is true, is three-quarters to right, but that of Mrs. Washington, in the Adams painting, is almost full face, while in the family picture it is nearly profile. I have, however, the record, far more satisfactory than the best opinion or most logical deduction, to support my view.

Among the Washington papers in the Department of State at the national capital, I found three letters from Savage to Washington and the copy, or draft, of one from Washington to Savage, in his own handwriting. The earliest letter I have already given. On June 3, 1798, Savage writes to Washington from "No. 70 South 4th Street Philadelphia": —

"Agreeable to Col Biddle's order I delivered four of the best impressions of your Family Print. They are choose out of the first that was printed. Perhaps you may think that they are two dark, but they will change lighter after hanging two or three months. The frames are good sound work. I have varnished all the gilded parts which will stand the weather and bare washing with a wet cloth without injury. The likenesses of the young people are not much like what they are at present. The Copper-plate was begun and half finished from the likenesses which I painted in New York in the year 1789. I could not make the alterations in the copper to make it like the painting which I finished in Philadelphia in the year 1796. The portraits of yourself and Mrs Washington are generally thought to be likenesses. As soon as I got one of the prints ready to be seen I advertised in two of the papers that a subscription would be open for about twenty days. Within that time there was 331 subscribers to the print and about 100 had subscribed previously, all of them the most respectable people in the city. In consequence of its success and being generally approved of I have continued the Subscription. There is every probability at present of its producing me at least \$10,000. in one twelve

month. As soon as I have one printed in colours I shall take the liberty to send it to Mrs Washington for her acceptance. I think she will like it better than a plain print. Mrs Savage joins me in respectful compliments to Mrs Washington."

The following very modest advertisement, without Savage's name, appeared in the Philadelphia Gazette for March 3, 1798.

#### A PRINT.

The print, representing General Washington and his Family, all whole lengths in one groupe, will be ready for delivery by the 15th of March. An unfinished impression is to be seen at Mr. McElwee's Looking Glass store N<sup>o</sup> 70, South Fourth Street. The subscription will close on the 10th of March inst. Subscribers may depend on having the best prints at *one guinea and a half*. To non-subscribers the price will be *Two guineas*.

To the letter from Savage, Washington replied: —

MT. VERNON 17th Jun '98

MR. ED. SAVAGE

SIR, — I have been favored with your letter of the 3rd instant and pray you to receive my thanks for your attention in chusing the prints which you sent to Col. Biddle for my use. As Mrs Washington also does for your politeness in presenting her one in colours. We are pleased to hear that the undertaking has succeeded so well. Col. Biddle I presume has paid you for the first four being so directed. Mrs Washington offers her compts to you and Mrs Savage.

I am your Obdt Servt

GO. WASHINGTON

A year later to the day, June 17, 1799, Savage writes again to Washington, from Philadelphia: —

"The print I promised to send Mrs Washington was redy last March. I have been so unlucky as to miss every opportunity since till the present one. It is shipt on board the schooner 'Tryal, Capt Hand, Master. Not being acquainted with any one in Alexandra I directed the case to care of the Custom House.

This last winter I discovered the method of Engraving with aquafortis. In order to prove my experiment I executed two prints which is my first specimen in that stile of Engraving. One is the Chase, the other the action of the Constellation with the L'Insurgent. I have put two of those prints into the case for you to see that Method of working on Copper. I intend as soon as time will permit to execute a

set of large prints of the most striking and beautiful views in America in that stile of Engraving as it is best calculated for Landskip and a very expeditious method of working. I hope yourself and Mrs Washington will excuse the delay of the print; it would have been sent last summer if the sickness had not driven me out of the City before I had time to print any in colours. Please present my most respectful compliments to Mrs Washington and Family."

Not only does Savage's letter of June 3, 1798, show that the portraits of Washington and of Mrs. Washington, in the family picture, are not from those painted in 1789, as are "the likenesses of the young people," but that they are from the painting finished in 1796; and the original bust portraits of Washington and of Mrs. Washington, painted into the Washington Family picture, turned up a dozen years ago in Philadelphia, and are now the property of Mr. Luther Kountz, of New York, who has them at his summer residence near Morristown, in New Jersey, on the site of Washington's encampment, and they are as much superior to the Harvard and the Adams paintings as they are different in pose and line.

It is interesting to note that by Mrs. Washington's will she made a special bequest to Eleanor Parke Lewis of "a print of the Washington Family in a box in the garret," doubtless the impression in colors presented to her by Savage; and that in the appraisement of Washington's estate there appears "Chase and Action between the Constellation and Insurgent (two prints), \$4.00," Savage's first specimens of engraving with aquafortis.

As no catalogue has ever been given of the plates executed by Savage, I append to this a chronological list of the seventeen plates bearing his name that I know and of the unfinished one that I have shown to be his work, and I hope this may be the means of drawing others now unknown from their seclusion. These plates show Savage to have been a much better engraver than painter, and this is not a Johnsonian damning with faint praise, as his plates, both in stipple and in mezzotint, are skilfully and pleasingly executed. The stories promulgated by Dunlap<sup>1</sup> and very commonly adopted and repeated,<sup>2</sup>

<sup>1</sup> Dunlap's *History of the Arts of Design*, vol. i. p. 821.

<sup>2</sup> Baker's *American Engravers*, p. 155; *Penn. Mag. of Hist. and Biog.*, January, 1905, p. 84.

that Edwin engraved the plates bearing Savage's name, are absurd on their face and disproved by dates as well as by other data. As late as the present month of the current year, an article entitled "David Edwin, Engraver, by Mantle Fielding," in the *Pennsylvania Magazine of History and Biography*, repeats the idle tale. On page 84 we read, speaking of Savage's print of "The Washington Family," "the plate was in a great degree the work of Edwin, although bearing the name of Savage as the engraver. . . . Savage's work was distinctly of the mediocre class; in fact, it has been said that it was chiefly Edwin's good work on the engraving of 'The Washington Family' that made it passable."

To expose the utter absurdity and fallacy of such statements it is only necessary to marshal the simple facts.

Savage's plate of "The Washington Family" was published *March 10, 1798*. Mr. Fielding says (p. 82): "It was in the month of December, 1797, that David Edwin landed in Philadelphia. . . . He was at this time just twenty-one years of age." On arriving he sought employment, not with Edward Savage, mark you, but with his countryman T. B. Freeman, a publisher, who gave him immediate employment, and "his first engraving in America" (p. 83) was the title-page for a collection of Scotch songs. Further along, on the same page, we read that Freeman published *May 1, 1798*, portraits of Harwood and of Barnard, the actors, both plates being engraved and signed by Edwin. These plates are not insignificant small book-plates, but the engraved ovals measure each upwards of six by four inches. Hence we have Edwin engraving three plates within five months after his arrival in Philadelphia, — a no small accomplishment for a youth of twenty-one fresh from his apprenticeship, — and the two portraits are engraved with no little care. "The Washington Family" is a large engraving, twenty-four and a half by eighteen and a quarter inches, a plate that took several years to execute, as we learn from Savage's letter, to Washington, of June 3, 1798. When then did Edwin, who was working for Freeman, have the time and opportunity to do for Savage the "good work on the engraving of 'The Washington Family,'" which plate it will be noted was published only little more than two months after his arrival in Philadelphia?

But, for the purposes of argument, let us admit that the

"good work" on this plate was done by David Edwin. Then, if "Savage's work was distinctly of the mediocre class," so that it required Edwin to make "The Washington Family" "passable," did not Edwin also do the "good work" on the folio stipple plate, published June 1, 1796, eighteen months before he arrived in Philadelphia, entitled "Liberty," which bears Savage's name as painter and engraver, and which is superior in execution to the plate that we are told "was in a great degree the work of Edwin"? For like reasons the stipple plates by Savage of Knox and of Washington, published in 1791 and 1792, should be claimed for Edwin. And if these, why not too all of Savage's mezzotinto plates? It does not signify that Edwin is not known to have worked in that method. Perhaps Edward Savage did not exist. The name may be a pseudonym of David Edwin. Persiflage apart, do not the dates and reasons I have given sustain me in stamping this claim for Edwin as absurd and baseless?

David Edwin needs no one's reputation to stand upon but his own. He was a great artist in his branch, far beyond Savage in ability and mechanical dexterity. It does not help him one iota to repeat this groundless claim for him; but it does great injustice to Savage, a man who has done good service in the history of American art, and who deserves our recognition for what he has done. I have more than once taken occasion to express my high opinion of the work of David Edwin. In my introduction to the "Catalogue of the Engraved Work of Asher B. Durand, Exhibited at the Grolier Club April, 1895," I say (p. 7): "As an engraver Asher Brown Durand is *facile princeps* among his countrymen and quite the peer of any of his European contemporaries. . . . But this is no insignificant position as long as we can point to Edwin, *the American Bartolozzi in method, though vastly superior in manner, for I have yet to see anything by the Italian-Englishman equal to Edwin's best work after Stuart*"; etc. The italicized words are adopted by Mr. Fielding as his own on page 80, where they are printed without quotation marks or acknowledgment. This would seem to be flattery by imitation run riot.

In the exhibition of early American engravings, now being held at the Museum of Fine Arts, Boston, there are shown a stipple portrait of John Adams and a mezzotint view of "The

Eruption of Mount Etna," ascribed to Savage,<sup>1</sup> which I doubt being his work. I admit that the handling in each of these plates resembles other prints by Savage, but neither of them bears his name as engraver, while each bears his name as publisher. Upon all of his other plates he proudly places his name as engraver, even upon insignificant government commercial work such as No. 17, in the chronological list. Surely then, if he had engraved these two quite important plates, particularly the John Adams which is after his own painting, he would have stated the fact imperishably upon the plates as he did upon those listed. That he did publish prints engraved by others is shown by Edwin's plate of Columbus, already mentioned.

When Savage left Philadelphia and returned to Massachusetts I do not know, but his name does not appear in the Philadelphia Directory after 1801, where he is down as "Historical Painter." Nor are there any engravings by him bearing a later date or issued from another place. It must, however, have been about this time, as his fifth child was born in New York, March 31, 1802, and his sixth child in Princeton, Massachusetts, August 22, 1805, where his two remaining children were also born. The copper-plate of the picture of "The Congress Voting Independence" was with little doubt Savage's latest work. Why it was left unfinished, unless his hand was arrested at its work by death, when it required so little to be done to complete it, only four faces being blank, we can but conjecture. But in any condition it is an interesting and important historical plate, and as it is of no value for printing purposes I beg leave to suggest to this learned Society the propriety of having the surface of the plate polished and lacquered, so as to preserve it from corrosion, and then framed and hung in this hall, where it may be seen as a valuable commemorative picture.

Mr. Charles H. Savage wrote to me several years back : —

"When I came West in 1865, the family had some three or four hundred of his engravings of all sorts, mostly of the prominent men of that time, Franklin, Knox, Jefferson, and many others. I have tried to find out what was done with them, but can get no trace, as my family are all dead."

<sup>1</sup> Descriptive Catalogue of an Exhibition of Early Engraving in America, Dec. 12, 1904-Feb. 5, 1905. Nos. 506 and 517.

Here is "a find" that would be "a find" indeed, if these prints could be discovered in their nest.

Edward Savage was a man of medium height, inclined to stoutness, quick in his movements, with brown hair and blue-gray eyes. Saint Memin drew and engraved a fine profile portrait of him, which shows a strong head with a keen eye; and his granddaughter, Mrs. Julia C. Cobb, of Waltham, Mass., has a good miniature portrait on ivory, painted by his own hand and also one of his wife, painted by him before their marriage.

American art has a history which should be cherished and preserved, and I hope this contribution, meagre as it is, may lead others to reap and garner in like fields as yet untilled.

*Chronological Catalogue of the Engraved Work of Edward Savage.*

1.

*Henry Knox.*

Full bust, three-quarters to right, in uniform, with order of Cincinnati. Oval. *Stipple*

E Savage pinx<sup>t</sup> & Sculp<sup>t</sup> | Gen<sup>l</sup> Knox, LL.D | Secretary at War, to the United States of America. | London. Pub. Dec<sup>r</sup> 7, 1791 by E: Savage N<sup>o</sup> 29, Charles Street, Midd<sup>l</sup> Hospital | Height, 5.3. Oval height, 4.15. Width, 4.3.

2.

*Washington.*

Full bust, three-quarters to right, in uniform, with order of Cincinnati. Oval in rectangle. *Stipple*

Painted & Engraved by E. Savage. | George Washington Esq<sup>r</sup> | President of the United States of America. | From the Original Picture Painted in 1790 for the | Philosophical Chamber, at the University of Cambridge, | In Massachusetts. | Published Feb<sup>r</sup> 7, 1792 by E Savage, N<sup>o</sup> 29 Charles Street, Midd<sup>l</sup> Hospital. | (Hart 214)  
Height, 7.8. Sub height, 5.3. Width, 4.3.

A fine copy printed in colors was shown (No. 511) at the Early Engraving in America exhibition.

3.

*Washington.*

Three-quarter length, to right, seated, with legs crossed, at a table, upon which are a cocked hat and a plan of the city of Washington.

*Mezzotint*



E. Savage pinx. et sculp. | George Washington Esq<sup>r</sup> | President of the United States of America. | From the Original Portrait Painted at the Request of the Corporation of the University of Cambridge in Massachusetts. | Published June 25, 1793, by E. Savage, N<sup>o</sup> 54, Newman Street. | (Hart 228)

Height, 19.14. Sub height, 17.15. Width, 13.15.

## 4.

*Benjamin Franklin.*

Three-quarter length, to left, seated at a table, with chin resting on thumb of right hand and in left hand a paper which he is reading. On the table are books and to the right a colossal bust. *Mezzotint*

D. Martin Pinx<sup>t</sup> — E. Savage Sculp<sup>t</sup> | Benjamin Franklin L.L.D. F.R.S. | London Published Sept<sup>r</sup> 17. 1793. by E. Savage, N<sup>o</sup> 50 Hatton Garden |

Height, 19.10. Sub height, 17.14. Width, 14.

## 5.

*William Smith.*

Head and bust, full face to right.

*Mezzotint*

G. Stuart Pinx<sup>t</sup> — E. Savage Sculp<sup>t</sup> | William Smith | of South Carolina, L.L.D. | Member of the Congress of the United States. | Pub: March 11<sup>th</sup> 1796 by E. Savage Philad<sup>a</sup> |

Height, 12.5. Sub height, 11. Width, 9.

A state of this plate is without "L.L.D.," and address. .

## 6.

*Anthony Wayne.*

Half-length, three-quarters to right, in uniform, with order of Cincinnati. *Mezzotint*

Painted & Engraved by E. Savage — Publish'd June 1<sup>st</sup> 1796 by E. Savage | General Wayne |

Height, 12. Sub height, 11.8. Width, 9.5.

## 7.

*Muscipula.*

Three-quarter length figure of a young girl, standing, full face to right, holding a mouse trap. *Mezzotint*

Sir. J. Reynolds Pinx<sup>t</sup> — E. Savage Sculp<sup>t</sup> | Muscipula. | Phil<sup>a</sup> Pub<sup>d</sup> June 1<sup>st</sup> 1796, by E. Savage. |

Height, 13.2. Sub height, 10.13. Width, 9.

## 8.

*Liberty.*

Whole-length female figure advancing to left, offering, in her right hand, a goblet to an eagle. In right distance a liberty pole and cap, with flag.

*Stipple*

Painted & Engrav'd by E. Savage. — Philadelphia Pub'd June 11, 1796, by E. Savage. | Liberty. | In the form of the Goddess of Youth; giving Support to the Bald Eagle. |

Height, 24.12. Sub height, 23.6. Width, 15.

## 9.

*David Rittenhouse.*

Three-quarter length, to left, seated at a table, holding paper with right hand and pointing to it with the left. Telescope to left.

*Mezzotint*

C. W. Peale Pinx't — Pub. Dec'r 10<sup>th</sup> 1796 by E. Savage. — E. Savage Sculp't | David Rittenhouse. L.L.D. F.R.S. | President of the American Philosophical Society. |

Height, 19.3. Sub height, 17.13. Width, 13.12.

## 10.

*Washington Family.*

Group composed of whole-length portraits of Washington, Mrs. Washington, Eleanor Parke Custis, George Washington Parke Custis and Billy Lee, the general's negro body servant. Washington, in uniform, seated to right, on left of print, at a table, in the centre, with left hand upon map of the District of Columbia, and right arm upon shoulder of young Custis, who is standing, to left, with right hand upon a globe. Mrs. Washington sits at the other end of the table facing Washington, with Nelly Custis to her right and Billy Lee behind her chair.

*Stipple*

Painted & Engrav'd by E. Savage | The Washington Family. | George Washington, his Lady and her two grand children by the name of Custis. | [Title repeated in French.] | Philadelphia. Publish'd March 10<sup>th</sup> 1798. by E. Savage & Rob't Wilkinson N<sup>o</sup> 58 Cornhill London. |

(Hart 235)

Height, 19.13. Sub height, 18.5. Width, 24.8.

## 11.

*The Chace.*

Ship under full sail carrying the American flag, following, to right, in offing, a ship also under full sail carrying the French flag.

*Aquatint*

Painted & Engraved by E. Savage — Philad<sup>a</sup> Published by E. Savage. May 20<sup>th</sup> 1799. | Constellation & L'Insurgent ~ the Chace. | Height, 14.6. Sub height, 13.10. Width, 20.

## 12.

*The Action.*

Naval battleship, with top-sails set perforated with shot, flying American flag, firing broadside into ship partly dismantled. *Aquatint*

Painted & Engraved by E. Savage. — Philad<sup>a</sup> Published by E. Savage May 20 1799. | Action between the Constellation and L'Insurgent. | On the 9<sup>th</sup> February 1799. | Off the Island of St Christophers, when after an hard fought battle of one hour and a quarter the Frigate of the Directory yielded | to superior skill and bravery. Killed on board L'Insurgent 29. Wounded 46. Constellation 1 killed. 3 wounded. | [Bracketed on either side of inscription.] Force of the Constellation | Guns 36. | Men 310. | — Force of the Insurgent | 40 Guns | 18 Brass Swivels | 409 Men |

Height, 14.8. Sub height, 13.10. Width, 20.

The only impressions of Nos. 10 and 11, that I know, are in the possession of Mr. Charles H. Taylor, Jr., of Boston. Can it be that they are the prints that Savage sent to Washington? Vide, page 10.

## 13.

*Benjamin Rush.*

Full bust, three quarters to right.

*Mezzotint*

Painted & Engraved by E Savage | Benjamin Rush, | Professor of Medicine in the University of Pennsylvania | Philada. Published by E. Savage Feb: 6. 1800 |

Height, 15.8. Sub height, 13.8. Width, 11.8.

## 14.

*Thomas Jefferson.*

Full bust three quarters to right.

*Mezzotint*

E Savage Pinx & sc. — Philad<sup>a</sup> Published June 1, 1800. | | Thomas Jefferson. |

Height, 9.12. Sub height, 9.7. Width, 7.14.

## 15.

*Washington.*

Whole length standing, full front, head to left. Stuart's Lansdowne portrait.

*Mezzotint*

E. Savage Execu<sup>d</sup> 1801 | George Washington |

(Hart 293)

Height, 27. Sub height, 26.6. Width, 20.5.

16.

*Nathaniel Russell.*

Head and bust, full face to right.

*Mezzotint*

E. Savage pin & Sculp' | Nathaniel Russell, Esq' |

Height, 7.12. Sub height, 7.3. Width, 5.14.

The first line is in faint scratched letters.

17.

*Ship's Paper.*

Heading to document, two engravings, one above the other, each enclosed with border lines. Above, indented, sailing vessel going to right under full sail. Below, a lighthouse on a ledge, with shipping around. In left distance a town with six steeples, wall and guns along water front.

*Etching*

E. Savage Ec. |

No. 1. Height, 2.10. Width, 6.3. No. 2. Height, 2.11. Width, 6.13.

The only copy I have seen is on United States pass for ship *Ophelia*, dated January 15, 1805, signed by Jefferson, President, and by Madison, Secretary of State.

18.

*"The Congress Voting Independence."*

Unfinished plate, by Savage, from the painting begun by Robert Edge Pine, and finished by Savage. Group of thirty-two persons, four faces blank, in Independence Hall, Philadelphia, fully described in the writer's monograph upon the painting in the *Pennsylvania Magazine of History and Biography*, for January, 1905.

The copper-plate belongs to the Massachusetts Historical Society, from which some impressions were printed in 1859, when the plate was presented to the Society. That it was engraved by Edward Savage is shown in the paper to which this chronological catalogue is an addendum.

*Stipple*

Height, 18.9. Width, 25.11.

NOTE.

The stipple portrait of John Adams and the mezzotint of *The Eruption of Mount Etna*, numbers 506, 507, and 517, of the exhibition of early engraving in America, are not included in this catalogue for the reason that there is nothing to show they are the work of Edward Savage, as explained on page 14.

In the absence of Mr. JOHN NOBLE, through illness, the senior Vice-President communicated the following paper by title:—

*An Incident in 1731 in the Long Dispute of Massachusetts and Rhode Island over their Boundary Line.*

The four documents submitted to-day are copies of papers in the Early Court Files of Suffolk. They are meagre and dry in themselves. Whatever interest belongs to them lies partly in the fact that they have been so long hidden in a multitudinous collection of miscellaneous papers, until now practically inaccessible. They could not have come under the eye of our associate Mr. Goodell in his indefatigable research while editing the Province Laws, — that work in itself monumental and of almost incalculable value and interest to the history of Massachusetts. The other and main ground of interest belonging to them is that they are fragments of one more illustration of that jealousy with which Massachusetts, whether as Colony, Province, or Commonwealth, has held and guarded her claims, whatever they be, so long as believed to be just, — of her regard for the rights of her citizens, and her prompt and vigorous enforcement of them whenever and wherever assailed. Her action has always been in accordance with the proud motto of her seal. Its Latinity may have been questioned, but is sounder than many of the criticisms on it, and is a better expression of her temper and spirit than any misapplied opening proclamation of a last will and testament or the wind-up of a benediction.

From the earliest days certain boundaries were in dispute. Those between the colonies of New Plymouth and the Massachusetts Bay were settled by the union in 1691; the Connecticut line in 1713, and the New Hampshire line in 1737. The controversy with Rhode Island lasted some century and a half. It was not until 1862 that the conflicting claims were settled by a decree of the Supreme Court of the United States in a suit in equity between the two States.

Chapter 48 of the Acts of 1862 referring to this decree — entered 16 December, 1861, to take effect March 1, 1862 — provides, in connection with chapter 150, for the regulation of suits at law affected by the establishment of this boundary

line; chapter 50 takes care of the counsel fees, costs, and expenses; and chapter 19 of the Resolves of 1863 makes an appropriation for the erection of permanent stone monuments to mark the line.

Thus ended the vexed question and the long and bitter controversy.

It is not purposed to deal with this venerable dispute; only to touch upon the legislation and some matters in 1731 and shortly after, which are necessary to explain these old papers and show the action of Massachusetts at this time when the trouble had reached one of its acute stages.

The storm centre was Attleborough, incorporated as a town in 1694, with extensive limits and a name from the old English town near Bungay Castle, the seat of the Mortimers, Earls of March. It included then much territory now belonging to Rhode Island.

How enduring a thing town pride is comes out in the storm of opposition, one hundred and thirty years later, which the conventional line proposed in the equity suit encountered; the town meeting in 1860, — its strenuous series of resolutions; its appropriation the next year of \$500 to defeat the obnoxious boundary, which gave three hundred acres of the town to Rhode Island; its final acquiescence only out of loyalty to the nation coupled with necessity.

The disturbance in 1731 began in an attempt of the town to levy and collect taxes within the territory claimed by each government. Rhode Island authorities interfered; Massachusetts backed her own citizens. The Great and General Court came out with this vigorous order in 1730:—

#### CHAPTER 153.

##### ORDER FOR A LETTER TO RHODE ISLAND GOVERNMENT PROTESTING AGAINST THEIR ACTION ON THE ATTLEBORO' AFFAIR.

WHEREAS this Court is advised that the Constable or Collector of the Town of Attleboro' in the County of Bristol hath been lately impeded in gathering in his Rates from some of the Inhabitants of that Town by Mr Justice Jonathan Sprague of the Colony of Rhode Island issuing out a Warrant to apprehend the Constable & his Aid in collecting the Rates from Cpt. Joseph Brown & ordering them to be convented before his Majestys Justices for the Town of Providence in the Colony of Rhode Island aforesaid, under pretence that the said Brown

is taken into the Colony by vertue of an Act of the General Assembly there; Which Proceedings of M<sup>r</sup> Justice Sprague (considering the Lands & Estate so taxed by the Town of Attleboro' have been allowed for a long time to be within the Boundaries of this Governm<sup>t</sup>) the Court adjudge cannot be justified;

*Ordered* that M<sup>r</sup> Secretary acquaint by Letter, in the Name of this Governm<sup>t</sup> the Hon<sup>ble</sup> Joseph Jenks Esq<sup>r</sup> Govern<sup>r</sup> of that Colony with the Proceedure of the aforesaid Justice that he seasonably put a Stop to that Affair, & for the future prevent all such Practices.<sup>1</sup> [Passed October 22.

By an order passed January 1, at the same session "taking into Consideration a Letter from the General Assembly of the Colony of Rhode Island to this Court, Dated the tenth of the last Month," proposing a joint commission "for Settling the Divisional Line," commissioners were duly appointed. Their determination was to be final, provided the same full powers were given to those on the part of Rhode Island, and "all Processes in the Law against any Persons that border on the said Line for Rates & Taxes to either Governm<sup>t</sup> suspended in the mean time," provided the like order was given on the other side.<sup>2</sup> Somewhat later, March, 1731, an order made the major part of such commission a quorum, whose determination was to be equally valid and final.<sup>3</sup>

June 3 the members of the commission were made "a Committee to consider what may be proper to be done by this Court with respect to the inhabitants of this Province that border on said Boundary, & report as soon as may be."<sup>4</sup>

This committee made their report June 18, being the first of the four papers from the Suffolk Files, which is also to be found in the Province Laws.<sup>5</sup>

The Committee appointed by this Court to Consider what may be proper for this Court to Do with Respect to the inhabitants of this Province that Border on the Bounds of that part of the Province formerly Plymouth & the Colony of Rhode Island Do Humbly offer

That inasmuch as the Commissioners appointed by the Government of Rhode Island have not agreed with Commissioners of this Government to Settle & Establish the River Called Patuckett to be the Bounds between that part of this province formerly Plymouth &

<sup>1</sup> Province Laws, vol. xi. p. 523.

<sup>2</sup> *Ibid.*, p. 568.

<sup>3</sup> *Ibid.*, p. 591.

<sup>4</sup> *Ibid.*, p. 532.

<sup>5</sup> *Ibid.*, p. 584.

the Colony of Rhode Island Notwithstanding the charter granted in 1627 to the Company of Plymouth bounds them on the Said River and ever Since has been under that Government & the Massachusetts the Land between the s<sup>d</sup> River & the town of Rehoboth purchased by Some persons of that town upwards of Sixty years & confirmed & added thereto by the Generall Court of the Late colony of Plymouth and altho' in the year 1664 Commissioners from the Crown thereunto authorized Did make a Setlement of the Bounds between the then two Colonys of Plymouth & Rhode Island untill His Majestys pleasure should be known vizt: the s<sup>d</sup> River of Patuckett untill the Same comes to the Massachusetts South Bounds & which has been acknowledged ever Since [<sup>1</sup> by the Govem<sup>t</sup> of Rhode Island] and further confirmed to the town of Rehoboth within this province by the Royall Charter Granted by King William & Queen Mary and whereas this Court Did order in the appointment of Commissioners to agree the s<sup>d</sup> Bounds that all processes in the law against any persons that Border on the s<sup>d</sup> Line [<sup>2</sup> should] for Rates & taxes should be suspended in the mean time therefore that all the persons inhabiting on the land to the eastward of the s<sup>d</sup> River be obliged to pay the Rates & taxes that they or their Estates have been [<sup>1</sup> or shall be] assessed & Do all Dutys & enjoy all the Prevediges that any other the inhabitants of this Province Do or ought to Do notwithstanding the s<sup>d</sup> order of Suspention or other pretence whatever all which is Submitted by

W<sup>m</sup> DUDLEY by order & in  
the name of the Committee

In Council; June 18, 1731; Read & Ordered that this Report be Accepted: Sent down for Concurrence

J. WILLARD, *Secry.*

In the House of Reptives June 18, 1731 Read and Concurred

J. QUINCY, *Sp<sup>r</sup>.*

June 18, 1731 Consented to

J. BELCHER.

Endorsed.

Report of the Comm<sup>e</sup> appointed to consider of the Inhab<sup>ts</sup> that border on R. Island etc. June 1731

(Early Court Files Suffolk — N<sup>o</sup> 31639. — 2.)

There seems to have been some hitch in the proceedings of the commission to establish a boundary line.

In fact such appear to have occurred constantly, sometimes on one ground, sometimes on another. In justice to Rhode

<sup>1</sup> Interlined in the original.

<sup>2</sup> Cancelled in the original.



Island it should be said that the attitude of its government seems to have been somewhat more conciliatory than that of Massachusetts, though both were working to the same end. Massachusetts evidently felt it had right on its side and was unwilling to make concessions; Rhode Island was reluctant.

At this stage comes the second of the Suffolk Court Files papers, the Act of the Rhode Island Assembly, as follows:—

At a Gen<sup>l</sup> Court of Assembly of his Maj<sup>ty</sup> Colony of Rhode Island & Providence Plantations held at Newport by Adjournm: the Second Monday of June in the fifth Year [<sup>1</sup> of y<sup>e</sup> Reign] of his Maj<sup>ty</sup> [<sup>2</sup> Reign] George the Second by the Grace of God of Great Britain &c. King Anno<sup>q</sup> Dom: 1731.

Forasmuch as the Province of the Massachusetts Bay having by their Commissioners refused to Run and Settle the Line between this Colony and that part of y<sup>e</sup> Province late Plymouth Colony And their being an Act of Each Government that those People that Live on the Land controverted Should be exempted from all Processes for Rates and Taxes to either Government till the Same be done.

It is therefore Enacted by the Gen<sup>l</sup> Assembly & It is hereby ordered and Declared that Justice Jonathan Sprague of Smithfield do Set up Prohibitions in Severall Publick Places on those Lands in Controversy forbidding any Persons whatsoever from levying any Rates or Taxes in any of Said Land or the Persons of any Living thereon or Exercise any Jurisdiction therein untill the Boundary between the s<sup>d</sup> two Governments be Decided.

A True Copy of Record Exam

Per R WARD Sec<sup>ry</sup>

Endorsed.

Rhode Island Law for Justice Sprague

(Early Court Files of Suffolk, No. 31639-1.)

Almost immediately follows the prohibition issued by Mr. Justice Jonathan Sprague, in accordance with the Act of the Assembly. This document is not a regular prerogative writ issued only by supreme judicial authority, but a sort of anomalous warning order of a different character,—a proclamation given to the world in general, and especially to any offenders in expectancy, and issued by a magistrate under legislative authority only.

Mr. Justice Jonathan Sprague was merely a Justice of the

<sup>1</sup> Interlined in the original.

<sup>2</sup> Cancelled in the original.

Peace within the Colony of Rhode Island.<sup>1</sup> His prohibition, the third of the papers from the Suffolk Files, runs as follows : —

#### A PROHIBITION.

Whereas There hath been a Controversy between the Province of the Massachusetts Bay & the Colony of Rhoad Island respecting the Bounds betwixt the two s<sup>d</sup> Governments, Viz the Western Bounds of the s<sup>d</sup> Province & the Eastern Bounds of the s<sup>d</sup> Colony & y<sup>e</sup> two s<sup>d</sup> two Governments having taken the Matter into Consideration & in order to make Peace & good Neighbourhood betwixt them, did by their several Acts of Assemblys respectively appoint & empower Commissioners to compromise the Difference & settle the s<sup>d</sup> Bounds in Dispute, & did also in s<sup>d</sup> Acts declare, that y<sup>e</sup> Inhabitants dwelling on s<sup>d</sup> Land in Controversy, should be free from any Process in Law Respecting any Rates or Taxes untill the s<sup>d</sup> Difference was ended, & yet nevertheless there are some Persons in Attleborough who have given out Word that they will take Rates from those Persons [ ] dwell upon the s<sup>d</sup> Land in Dispute, having no Regard [ ] the s<sup>d</sup> Acts of Assemblys made & passed to the Contrary & whereas the s<sup>d</sup> Colony of Rhoad Island by Act of Assembly hath Impowred & ordered Me the subscriber to grant Prohibitions on y<sup>e</sup> Acc<sup>t</sup>

These are therefore in his Majesties Name George the second King of Great Britain &c. to forewarn & forbid all Persons of either Government at their utmost Perils to use any Authority in demanding, Levying, or forcing any Rates or Taxes from any of the Inhabitants Dwelling or that shall dwell on y<sup>e</sup> s<sup>d</sup> Land in Controversy untill the s<sup>d</sup> Line & Bounds shall be settled & fully agreed upon.

Given under my hand & Seal in Smithfield this last Day of June AD 1731 & in the fifth Year of his Majesties Reign

Signed per order of Assembly By

JONATHAN SPRAGUE *justice*

Endorsed Justice Sprag[ue] Prohibition.

(Early Court Files, Suffolk, No. 165361.)

The outcome of this appears in the vote passed July 31 at the session of the General Court begun at Boston, May 26, 1731.

#### CHAPTER 55.

VOTE ON HENRY JOCLYN'S MEMORIAL, PRAYING FOR RELEASE FROM PRISON, AND ORDERING THE ARREST OF SUNDRY PERSONS.

A Memorial of Henry Jocelyn One of the late Constables of the Town of Attleborough in the County of Bristol setting forth that He

<sup>1</sup> For proceedings of Rhode Island in connection with this, see Rhode Island Colonial Records, vol. iv. pp. 452, 453.

being in the Execution of his Office in Collecting Taxes, Committed to him of the Inhabitants of the said Town was on the nineteenth Instant forceably seized by one Job Bartlet & others under pretence of a Warrant from Jonathan Sprague & William Arnold Esq<sup>r</sup>. Justices of the peace within the County of Providence in the Colony of Rhode Island & committed to the common Goal of y<sup>e</sup> s<sup>d</sup> County where he is restrained of his Liberty praying Relief from this Court.

Benjamin Lynde Esq<sup>r</sup> from the Committee of both Houses on the Memorial of Henry Jocelyn gave in the following Report Viz<sup>t</sup>

In Answer to the Complaint of Henry Jocelyn One of y<sup>e</sup> Constables of Attleboro, now a prisoner in the Common Goal at Providence in the Governm<sup>t</sup> of Rhode Island, The Committee are of Opinion that the said Imprisonm<sup>t</sup> of the said Joscelyn is wrong & oppressive, & that he ought forthwith to be discharged, & that Job Bartlet together with his Assistants Joseph Brown Joseph Razy Daniel Wilson & Josiah Fish being all of them known & allowed Inhabitants of Attleboro', Joseph Staples & Nathaniel Staples in like manner Inhabitants of Bellingham & Wrentham & for many years have as well enjoyed the privileges as performed the Duties of Inhabitants of this province within their respective Towns were guilty of a great Misdemeanor viz, the s<sup>d</sup> Job Bartlet in Seizing & the others in Assisting him forceably to carry the s<sup>d</sup> Jocelyn out of this province to a prison within the Governm<sup>t</sup> of Rhode Island, at a Time when the said Jocelyn was in the Execution of his Office viz. Collecting the publick Taxes of Attleboro' that were Committed to him, And therefore that the Sheriffs of the Counties of Bristol & Suffolk be Ordered to Apprehend the s<sup>d</sup> Job Bartlet & others & bring them before this Court to Answer for their great Offence as aforesaid.

By order of the Committee

BENJAMIN LYNDE

Read &

Voted that this Report be accepted & that Warrants be issued out accordingly, and that His Excellency be humbly requested to write to the Governour of Rhode Island desiring him to Order the release of the s<sup>d</sup> Jocelyn, & that for the Time to come His Majesty's Officers of this province be not Obstructed in the Execution of y<sup>r</sup> Office by any Warrants or Directions from that Governm<sup>t</sup>.<sup>1</sup> [Passed July 27.

Then comes, on the 18th of August, an order of the General Court to the Sheriff of Suffolk to "Commit Job Bartlett, Josiah Racey, Daniel Wilkinson, Joseph Staples and Gideon Tower to his Majesty's Goal in said County."

This was followed by an order for their prosecution:—

<sup>1</sup> Province Laws, vol. xi. p. 603.

## CHAPTER 77.

## ORDER FOR PROSECUTING JOB BARTLET &amp; OTHERS.

*Ordered* that Henry Jocelyn late Constable of the Town of Attleboro' recognize before one of his Majesty's Justices of the peace for the County of Bristol in the Sum of One Hundred pounds for his Appearance at the next Superiour Court of Judicature Court of Assize & General Goal Delivery to be holden at Bristol for the s<sup>d</sup> County, then & there to bring forward and prosecute his Complaint lately exhibited to this Court against Job Bartlet & others for seizing & carrying him the s<sup>d</sup> Jocelyn to providence Goal on the 19<sup>th</sup> of July last, And that Charles Church Esq<sup>r</sup> Sheriff of y<sup>e</sup> County aforesaid also recognize before some Justice of the peace for y<sup>e</sup> same County in the Sum of One Hundred pounds to appear at the s<sup>d</sup> Court to prosecute his Complaint against the s<sup>d</sup> Job Bartlet & others for insulting & Abusing of him & his Assistants while in the Execution of a Warrant from his Excellency the Goven<sup>r</sup> (the 27 of s<sup>d</sup> July) pursuant to a Vote of this Great & General Court or Assembly, And y<sup>e</sup> the s<sup>d</sup> Sheriff take effectual care that y<sup>e</sup> Witnesses timely recognize before some Justice of y<sup>e</sup> peace in a Sum not exceeding Ten pounds each, for their Appearance at the Court afores<sup>d</sup> to give Evidence on his Majesty's Behalf relating to the s<sup>d</sup> Complaints or Either of them. And y<sup>e</sup> it be & hereby is recommended to one or more of His Majesty's Justices of the afores<sup>d</sup> County forthwith to Issue out a Warrant for Apprehending Joseph Brown of Attleboro' afores<sup>d</sup> in Order to his recognizing in the Sum of Three Hundred pounds as Principal with two Sufficient Sureties in the Sum of One Hundred & fifty pounds each (the Sureties to be Inhabitants of this province, except such as dwell on the Gore of Land) Condition for s<sup>d</sup> Brown's Appearance at the Court afores<sup>d</sup> to answer to what shall then & there be Objected against him on his Majesty's Behalf, more especially the Complaint of the aforementioned Henry Joslyn for his Assisting the before named Job Bartlet in Seizing & carrying the s<sup>d</sup> Joslyn to y<sup>e</sup> Goal aforesaid & also to the Complaint of the s<sup>d</sup> M<sup>r</sup> Sheriff Church, & to be of the good Behaviour in the mean Time, And that the Comp[li]ain<sup>t</sup> be & hereby are directed & Impowered to Improve One or more Attorneys to assist them in bringing forward & prosecuting their s<sup>d</sup> Complaints; The Charge of the prosecution to be born by this province<sup>1</sup>. [Passed August 21.

September 23, an order of both Houses originating in the House of Representatives appointed a "Committee to take under Consideration the Controversy referring to the Boun-

<sup>1</sup> Province Laws, vol. xi. p. 613.

dary Line between this Province & the Colony of Rhode Island & report as soon as may be what may be proper for this Court further to do thereon.”<sup>1</sup>

October 5 a committee was appointed “to prepare the Draught of Instructions to the Agent with respect to the boundary line.”<sup>2</sup>

January 26, 1732, an allowance was made to Jocelyn, who had been imprisoned in Rhode Island, of £15 3s. “in Consideration of y<sup>e</sup> Charge Exp<sup>ce</sup> & Loss of Time he has Sustained in y<sup>e</sup> Service of y<sup>e</sup> Governm<sup>t</sup>.”<sup>3</sup>

The order of September 23 may have been impracticable or unnecessary of execution by reason of personal situation, public negotiations or legislation, as no such suit as contemplated appears on the Records.

An Act of the General Court was passed February 2, 1732, setting forth in the preamble the action of the Rhode Island Assembly which proposed a commission of “disinterested persons to hear and determine this controversy,” and authorizing and empowering as its representatives on such commission three designated men of Connecticut “to meet” the three men of New York selected by Rhode Island and to “determine under whose jurisdiction or governm<sup>t</sup> the said tract of land shall be and remain hereafter”; with a proviso “that the inhabitants on the said land do in the meantime and till such determination . . . pay all taxes that have been or shall be laid on them and their lands, according to the laws of this province; the said inhabitants having been subjected in like manner ever since their first settlem<sup>t</sup>” — with a further proviso that “the general Assembly of the Colony of Rhoad Island come into an Act like to this in Substance.”<sup>4</sup>

January 26 a committee had been appointed by both Houses “to meet the Commiss<sup>n</sup>” . . . in Order to Set forth the Right of this Province to the land in Controversy.”<sup>5</sup>

The fourth paper from the Suffolk Files is a *Mittimus* issued by Jonathan Sprague, March 24, 1732, as follows:—

<sup>1</sup> Province Laws, vol. xi. p. 616.

<sup>3</sup> *Ibid.*, p. 620.

<sup>2</sup> *Ibid.*, p. 640.

<sup>4</sup> *Ibid.*, p. 624.

<sup>5</sup> *Ibid.*, p. 640.

Seal

Seal

To Dan<sup>a</sup> Abbot Esq<sup>r</sup> Keeper of his majesties Goal in Providence in y<sup>e</sup> County of Providence in y<sup>e</sup> Colony of Rhoad Island &c these Greeting Forasmuch as this present Day John Robbins & Benj<sup>a</sup> Slack & Benj<sup>a</sup> Crabtree & [<sup>1</sup>Timothy] Tingley all of Attleborough in y<sup>e</sup> County of Bristol in y<sup>e</sup> Province of y<sup>e</sup> massachusetts Bay was brought before us the subscribers for taking and straining a Rate from Benj<sup>a</sup> Brown on y<sup>e</sup> 22<sup>d</sup> Day of this Instant march an Inhabitor of y<sup>e</sup> Gore of Land in Controversy between y<sup>e</sup> Colony of Rhoad Island & y<sup>e</sup> Province of the massachusetts Bay Wherefore y<sup>e</sup> afores<sup>d</sup> men Refusing to Give bail to answer y<sup>e</sup> afores<sup>d</sup> fact at y<sup>e</sup> next Inferiour Court of Common pleas to be held at Providence in the County of Providence afores<sup>d</sup> these are therefore in his majesties name Georg y<sup>e</sup> Second King of Great Brittain to Require you to Receive the Bodys of the said John Robbins & Benj<sup>a</sup> Slack & Benj<sup>a</sup> Crabtree and Timothy Tingley into your Custody & them Secure untill they Give sufficient bond as afores<sup>d</sup> or be Legally Discharged by order of a Due Course of Law hereof fail not

Given under our hands and seals y<sup>e</sup> twenty fourth Day of march in y<sup>e</sup> fifth year of his s<sup>d</sup> majesties Reign A D 1731/32.

JONATHAN SPRAGUE *Jur Justice*  
VALLINTINE WHITMAN *Justice*

Vera Copia

per DANIEL ABBOT *Sheriff*

Copy Exam<sup>d</sup> per J WILLARD *Secry*

A true Copy as on File Ex<sup>d</sup>

per TIM<sup>c</sup> FALES *Cler*

Endorsed Mittimus Copy.

(Early Court Files, Suffolk, N<sup>o</sup> 165361. 1.)

That this Mittimus was executed appears by the petition of the four persons therein named "committed to the common Goal in Providence & there Confined till they could procure Bail . . . Praying the Direction & Assistance of this Court for y<sup>e</sup> releif in y<sup>e</sup> Premisses," and the vote of the General Court thereon employing "M<sup>r</sup> Elkanah Leonard of Middleboro Attorney at Law" to appear at court in their behalf "at the Charge of the Province."<sup>2</sup>

The Resolve of June 16, 1732, limits the time for a report from the commission on the boundary line "to the Space of

<sup>1</sup> Interlined in the original.

<sup>2</sup> Province Laws, vol. xi. p. 651.

Eighteen Months from this Date not to Exceed that Time & as much sooner as they please & can attend it.”<sup>1</sup>

A vote was passed June 28, 1732, authorizing the Sheriff of Bristol and other officers to pull down the obnoxious papers of Jonathan Sprague, and enjoining the “Collect<sup>ors</sup> of Attleboro” “to do their Duty in Collecting the Rates and Taxes,” as follows:—

#### CHAPTER 28.

VOTE IMPOWERING THE SHERIFF TO PULL DOWN AND DESTROY JONATHAN SPRAGUE'S PAPERS IN REGARD TO THE AUTHORITY OF THIS PROVINCE ALONG THE RHODE ISLAND LINE.

WHEREAS this Court hath received Information that Jonathan Sprague of Smithfield in the Colony of Rhode Island Esq<sup>r</sup> Hath presumed to post up or cause to be posted up Papers forewarning & forbidding all persons not only in that but even in this Governm<sup>t</sup> at their utmost peril from using any Authority in Demanding or Receiving any Rates & Taxes from any of the Inhabitants that are or shall be Dwellers on a Tract of Land to the Eastward of Patucket River until the Line or Boundary there between the two Governm<sup>ts</sup> shall be finally agreed & settled, contrary to the Design & express Words of the Act pass'd this Court at their last Session for appointing Commission<sup>ers</sup> to Determine that Boundary tending greatly to the Dishonour of this Governm<sup>t</sup> & the Obstruction of the Collect<sup>ors</sup> of the Town of Attleborô from doing their Duty in Collecting the Rates & Taxes of the Inhabitants of s<sup>d</sup> Town committed to them to Collect.

VOTED that the Sheriff of the County of Bristol & all his Under Officers together with the Constables of the Town of Attleborô be & hereby are required on Sight of any such Paper or Prohibition to pull down & deface the same, and the respective Collect<sup>ors</sup> of Attleborô are also required & strictly enjoined to do their Duty in Collecting the Rates & Taxes committed to them, especially from the Inhabitants of the s<sup>d</sup> Tract of Land, wherein they may be Assured of the protection of this Governm<sup>t</sup> & that Copies of this Order be forthwith printed, & sent to the Constables of Attleborô, & posted up there & dispersed to & among the Inhabitants of the Gore.<sup>2</sup> [Passed June 28.]

In spite of all the hindrances and delays continually occurring in the settlement of the controversy, the Province resolutely kept on and pressed its claims.

By chapter 57 of the Resolves of the same session a committee was appointed “to lay before the Comissioners

<sup>1</sup> Province Laws, vol. xi. p. 655.

<sup>2</sup> *Ibid.*, p. 660.

appointed to settle y<sup>e</sup> Line or boundary . . . the Right this Province hath to the Gore of Land in Controversy . . . & to receive y<sup>e</sup> Determination of the Commission<sup>rs</sup>," passed July 7, 1732.<sup>1</sup>

Meantime the Province meant to hold on to what it had held in the past, and an order was passed December 8, 1732, "Whereas the Divisional Line . . . has not been renewed or perambulated since the Settling thereof Anno 1719," appointing a committee to meet with a like committee to be appointed by the Rhode Island government "to perambulate or renew the Bounds or Divisional Line . . . agreeable to the Settlem<sup>t</sup> of s<sup>d</sup> Line . . . the 14<sup>th</sup> day of May 1719."<sup>2</sup>

Major Brattle was added to this committee by chapter 3 of the Resolves of the Session at Boston, May 30, 1733, "on the affair of the Gore."<sup>3</sup>

Nothing apparently having come out of the commission heretofore appointed, on the 26 April, 1733, another Act was passed, nearly identical with the former, naming the same commissioners, and adding certain provisions to secure greater efficiency and more satisfactory results. A time was fixed for their meeting, July 3<sup>d</sup> next ensuing, and for the delivery of their award on or before the last Wednesday of August next ensuing, to a designated committee on the part of the General Court. It provided that all processes for rates or taxes levied by the laws or authority of the Province should cease and be suspended until such delivery, with a proviso, as before, that Rhode Island should pass an Act to the same effect.<sup>4</sup>

An order was passed June 19 for the Treasurer of the Province "to Deliver to the Comm<sup>tee</sup> of this Court appointed to attend the Commissioners on the Affair of the Gore at Attleboro the Sum of Three Hundred Pounds to enable them to defray the Charge of Settling the Controversy there, which Sum is part of the Residue of the Sum of Three Thousand Pounds put into his Hands to purchase Seven Hundred pounds Sterling with to be sent to M<sup>r</sup> Agent Wilks."<sup>5</sup>

On the 25<sup>th</sup> of August it was voted "that the Committee appointed to prepare Instructions in the Recess of the Court to M<sup>r</sup> Agent Wilks, give it as a Direction to him, that he take all

<sup>1</sup> Province Laws, vol. xi. p. 673.

<sup>2</sup> *Ibid.*, p. 687.

<sup>3</sup> *Ibid.*, p. 713.

<sup>4</sup> *Ibid.*, vol. ii. p. 665.

<sup>5</sup> *Ibid.*, vol. xi. p. 722.



possible Care that no Determination be made which may affect Property in the Settlements of the Boundaries of this province and the province of New Hampshire, & also between this province & the Colony of Rhode-Island." <sup>1</sup>

On the 2<sup>d</sup> November, it appearing that the time fixed for the delivery of the award of the commission in the Act creating it, the last Wednesday of August, 1733, had expired and no settlement had been reached, the General Court passed a somewhat strenuous order.

#### CHAPTER 119.

##### VOTE REFERRING TO THE GORE AT ATTLEBORO.

FORASMUCH as the earnest Endeavours of this Government to settle the line between that part of this province lately the Colony of Plimouth, & the Colony of Rhode-Island have proved ineffectual, & inasmuch as it was agreed & ordered by both Governments that there should be a Suspension of all process as to Rates & Taxes &c to the last Wednesday of August last, but no longer in Case there was no Award given in under the Hands & Seals of the Comm<sup>s</sup> for settling the Line aforesaid, It is therefore

ORDERED by this Court & the Authority thereof that the Sheriffs & Under Sheriffs of the Counties of Suffolk, Bristol & Worcester be & hereby are required & impowered to take such Aid as they may think necessary to assist them in serving such lawfull Writts on any of the Inhabitants of the said Gore, & also to seize & bring to Justice any that shall oppose them therein, as also that the Constables of the Towns of Attleborô, Wrentham, Mendon & Bellingham be impowered to command all Aid they may think necessary thrô the province for gathering any Taxes according to the Laws of this Province on the Inhabitants of the said Gore; And that all persons be required to aid & assist the Sheriffs, Under Sheriffs & Constables respectively in doing their duty according to this Order in relation to the Inhabitants of s<sup>d</sup> Gore; And in Case any Person or persons shall refuse or neglect to give their Aid & Assistance when required they shall incur & be liable to the same Penalties as when they refuse their Aid to apprehend Criminals. And that the said Sheriffs & Constables respectively be directed & required to pull down & deface all & every Paper or papers put or posted up in said Gore, Setting forth (or by Virtue of) any Authority of y<sup>e</sup> Colony of Rhode Island over the said Gore, And that the said Sheriffs & Under Sheriffs aforesaid be required to arrest all & every Person or Persons who shall presume to serve any Writt on any

<sup>1</sup> Province Laws, vol. xi. p. 734.

Person in said Gore, or do any other Act by Virtue of the Authority of Rhode-Island Government & in Oposition to the Authority of this, & him or them shall carry before one of his Majesty's Justices of the Peace, who shall bind him or them over to answer for such Crime before the next Court proper to try the same; And that the Collectors of the Towns of Attleborô, Wrentham, Mendon & Bellingham be strictly enjoined to proceed forthwith in collecting the Rates respectively committed to them in which there may be any Sum or Sums due from any of the Inhabitants of said Gore.<sup>1</sup> [Passed November 2.

Another memorial from Henry Jocelyn was presented to the General Court setting forth his "great Charges & Sufferings by reason of a Prosecution from the Government of Rhode Island for doing his duty to this Government in levying public Taxes, & praying that this Court would provide for his defence and Assistance in a Tryal depending in Rhode Island Government," and counsel was appointed to "use his best Endeavors in the Law for the defence of the petitioner,"<sup>2</sup> and £50 was subsequently granted to such counsel for his services.<sup>3</sup>

Compensation was likewise made to Joseph Newall for his sufferings in Providence gaol.<sup>4</sup>

And on February 12, 1734, in answer to the petition of John Robins and others committed on the Mittimus, presented on the 3d November previous, liberal compensation was granted, — nearly £300; if the fines were remitted by the Government of Rhode Island, such amount to be returned into the treasury; the government of Rhode Island to be pressed to remit the penalties; and all persons enjoined to carry out the order of November 1, previously quoted.<sup>5</sup>

The General Court was not inclined to let Mr. Justice Jonathan Sprague go scot-free, but was determined to deal with him summarily and severely, as appears by the vote of February 22, 1734.

#### CHAPTER 185.

##### VOTE FOR APPREHENDING JONA SPRAGUE ESQ<sup>r</sup> &C.

THIS COURT being informed that Jonathan Sprague of Smithfield in the County of Providence in the Colony of Rhoad Island Esq<sup>r</sup> for some years last past has been issuing Warrants & giving forth Orders

<sup>1</sup> Province Laws, vol. xi. p. 755.

<sup>2</sup> *Ibid.*, p. 798.

<sup>4</sup> *Ibid.*, p. 786.

<sup>2</sup> *Ibid.*, p. 757.

<sup>5</sup> *Ibid.*, p. 773.

to be executed in the Township of Attleborô within the County of Bristol with respect to the Inhabitants of the said Town, their Estates, Rates & Taxes without any Authority for so doing, greatly disturbing His Majestys Peace in said Town & County stirring up sedition in some & greatly oppressing others of the Inhabitants of the said Town, & in great Contempt of the Authority of this Governm<sup>t</sup> over all the Lands & Inhabitants of the said Town of Attleborô: For the better safety & protection of the Inhabitants of any of the Towns of Attleborô, Wrentham, Mendon & Bellingham;

VOTED that His Excellency the Governor be desired to issue out a Proclamation directed to & empowering all Persons whatsoever, but more especially to all Sheriffs, Under Sheriffs or Constables for apprehending the said Jonathan Sprague or any other Person or Persons who shall hereafter presume to issue out such Warrant or Warrants or issue forth such Orders or execute the same within any of the said Towns, & bringing him or them before any of His Majestys Justices of the Peace within the said Province in order to his being proceeded with as to Justice shall appertain; And as an Encouragem<sup>t</sup> & Reward to the Person or Persons that shall apprehend & bring said Sprague or any other Person presuming to exercise Authority as afore said to Justice, That the sum of Fifty Pounds be allowed & paid to him or them out of the publick Treasury.<sup>1</sup> [Passed February 22.

The story might be carried further, as this is only one incident in a long controversy, a skirmish in a war transmitted from sire to son through several generations. Enough, however, — perhaps more than enough, for any reasonable tax on patience, — has been given. The matter may seem insignificant, but it brings out in strong light the spirit of Massachusetts, — all this legislation and all this struggle over a little strip of its territory and over the rights of a few farmers.

The senior Vice-President also communicated the memoir of the late Chief Justice Walbridge A. Field, which Mr. NOBLE had been appointed to prepare for the Proceedings.

Mr. JAMES F. RHODES read a short paper on "Negro Suffrage and Reconstruction," in continuation of remarks made at the December meeting.

At our last meeting I was not ready enough to make a thorough reply to some of the criticisms which my paper suggested; and this I will now briefly attempt. The harsh legislation of the Southern States in regard to the negroes was enacted be-

<sup>1</sup> Province Laws, vol. xi. p. 782.

tween October, 1865, and March, 1866. I attempted to show in my fifth volume that this legislation was misconstrued at the North, and it was thought that the laws had been passed by the Southern States in a spirit of defiance. This was not so. Nevertheless this legislation had a profound influence upon the Northern people and on the Republicans in Congress. It was an incitement to them to quarrel with President Johnson, and it undoubtedly made the Fourteenth Amendment plan of reconstruction more harsh than it otherwise would have been. The passage of the Civil Rights bill over the President's veto, and the enactment of the Fourteenth Amendment conferring civil rights on the negroes by organic act neutralized that legislation of the Johnson reconstructed States. After the Republicans gained their signal victory in 1866, securing more than a two-thirds majority in both houses of Congress, this harsh legislation of the Johnson Southern legislatures disappears, so far as my reading goes, as a potent influence in the reconstruction legislation. The plain issue of the elections of 1866 was the Fourteenth Amendment plan, but this had never been satisfactory as a finality to the Radicals, and they maintained that the overwhelming victory of 1866 was a pronouncement in favor of negro suffrage. The violence shown in many cases at the South to the negroes and to the Union white men, and the belief that the negroes must have the suffrage for their protection and for the protection of the loyal whites, was the potent argument for the two acts of March 2 and March 23, 1867. This is the decided impression I obtained from reading the debates and following the different amendments and the whole procedure which finally resulted in these last disastrous acts. I cannot pretend to have read all the speeches, and it may be that Mr. Stanwood in going over different parts of the debates has arrived at a different conclusion. Nothing in the study of modern history is more advantageous than the opportunity of comparing notes such as a friendly discussion in our rooms enables us to do. "If the historian of earlier times," says Mr. Firth, our Corresponding Member, in his inaugural address as Regius Professor of Modern History at Oxford,—"if the historian of earlier times suffers from the paucity of his materials, the historian of modern times suffers from their superabundance. One life is too short to search through them. A mere catalogue of Par-

liamentary reports fills a whole volume, and who shall number the volumes of Hansard?" We have the same difficulty in our Congressional Globes.

The sessions of January and February, 1867, which resulted in the Reconstruction Acts of March 2 and March 23, were stormy. Blaine and Bingham in the House worked hard to secure more moderate legislation, although Blaine was in favor of negro suffrage; but could he have prevailed, the legislation would not have been so harsh as that which was enacted through the influence of Thaddeus Stevens. Nothing in our history reminds me so much of the proceedings of the Constituent Assembly during the first French Revolution as the proceedings in the House during these months. Few Republicans were proof against Stevens's taunts and sarcasm; and when he pointed his skinny finger at a member and charged him with truckling to President Johnson, he was pretty sure to gain another radical vote. It is only by a close study of the different steps and the actual results that we can appreciate that the final victory was with Stevens and Sumner, for at least in one stage of the proceedings when the Republicans were divided, Stevens was with the minority.

I fully agree with Mr. Bradford in regard to the clemency shown by the North to the South. There were no executions, and there were no confiscations of property and no imprisonments except for brief periods. In these respects I know nothing like it in history, and I have asked historical scholars, as I ask them to-day, whether or not, after a so-called Rebellion in which the forces standing for the acknowledged government were complete victors, there was ever before so great clemency shown. Once in my reading I thought I had found something resembling it in an act of Julius Cæsar. Froude writes: "In Pompey's own tent [after the battle of Pharsalia] was found his secret correspondence implicating persons, perhaps whom Cæsar had never suspected, revealing the mysteries of the past three years. Curiosity and even prudence might have tempted him to look into it. His only wish was that the past should be forgotten: he burnt the whole mass of papers unread." This seemed sublime, and I sought a confirmation of it. But Cæsar, who was himself given to a reasonable amount of self-glorification, does not relate it in his history of the civil war. It is neither in Plutarch nor in Appian, and

I am at a loss to know what evidence Froude had for the statement. Mommsen, whom Froude largely followed, tells an exactly opposite story. He writes: "Cæsar, who on the very day of the battle had reminded the soldiers that they should not forget the fellow-citizen in the foe, did not treat the captives as Bibulus and Labienus had done; nevertheless, he too found it necessary now to exercise some severity. The common soldiers were incorporated in the army, fines or confiscations of property were inflicted on the men of better rank; the senators and equites of note who were taken, with few exceptions suffered death. The time for clemency was past; the longer the civil war lasted, the more remorseless and implacable it became."

I feel sure that in this respect the mercy of the North was unexampled. Carl Schurz, who has a good knowledge of the salient points of comparative history, said in the United States Senate April 19, 1870: "There is not a single example of such magnanimity in the history of the world, and it may be truly said that in acting as it did this Republic was a century ahead of its time." I am convinced that we did better than England or Prussia would have done in the like case. But, on the other hand, I think that England or Prussia would have solved the negro problem better. Before conferring universal suffrage on the negroes they would have studied the negro scientifically on the lines that Mr. Hall suggested last month. But in this age of Darwin and Huxley we made no attempt to consider the question scientifically. From a variety of motives, some praiseworthy and others the reverse, we forced negro suffrage upon the South. We had beaten the South in a fair fight, and nothing would have paid so well as to show her the same magnanimity in the negro question that we had shown in respect to executions and confiscations. Party advantage, the desire of worthless men at the North for offices at the South, co-operated with a misguided humanitarianism. After the victory came the plunder. The words which Parkman used in a somewhat different application will, however, apply well: "The lion had had his turn, and now the fox, the jackal, and the wolf took theirs."

Mr. Charles C. Smith communicated for Mr. WORTHINGTON C. FORD, of Washington, D. C., a Corresponding Member, the following paper: —

*The Case of Samuel Shrimpton.*

The few known references in contemporary records to the matter of some hot-headed utterances of Samuel Shrimpton, and the attention they brought down upon him on the part of the authorities, were too indefinite to warrant further study. The discovery of certain documents in the Chamberlain Collection, now in the Boston Public Library, rounds out the story, and throws some light upon the methods pursued by the agents of the government to preserve their dignity and maintain their authority.

The origin of the incident lay in the administration by Shrimpton of his father's will. It will be recalled that the charter of Massachusetts was vacated in London in June, 1684, but a copy of the judgment of the forfeiture of the charter was not received at Boston until July 2, 1685, or more than a year after the event. In that interval Charles II. died (February 6, 1685) and James II. mounted the throne.

In April, 1685, a vessel reached Boston bringing intelligence of the death of Charles II. and the proclaiming of James II. king. No formal letter was received, because, the charter being vacated and no government yet appointed for Massachusetts, there was no responsible head. But the copies of proclamations and forms were sent as to the other colonies, without any mention of the Governor and the Company. A second letter, written to Bradstreet, Dudley, and others, told them to proclaim the king, advising them that it were best to do it early. Among those to whom this letter was sent was Samuel Shrimpton, and it was in this connection that the name first appears in the printed Diary of Samuel Sewall (I. 70). The new king was accordingly proclaimed in Boston, April 20, 1685.

In 1685 Peter Sergeant, and his wife, Elizabeth, raised a dispute with Shrimpton over the will, which was decided in favor of the latter.<sup>1</sup> In October, apparently soon after the judgment had been rendered, the Governor and Council amended the law on wills; or, to use the quaint phrase of that time, "the law about Wills is made into a new Edition." In November Shrimpton was summoned to answer to Sergeant under the new law, to which summons he made the not unreasonable reply that "the Court proceeded upon a Law made

<sup>1</sup> Records of the Court of Assistants, I. 278.

since the vacating of the charter, and therefore he should not attend.”<sup>1</sup> This led Sewall to record, “so that this Monday we begin palpably to die,” anticipating further decay in the authority of the Council under the administrative indefiniteness that existed.

The subsequent stages of the matter are shown in the following extracts from Sewall's Diary : —

December 14, 1685. “County-Court meets about Mr. Sergeant's Business chiefly: Mr. Shrimpton's Letter is read: but 'tis not agreed on to proceed, and some Heat, the Vote being in a manner equal. Mr. Stoughton and Maj<sup>r</sup> Richards not there. Mr. Shrimpton pleads that he has fulfilled his Father's Will dated July 17<sup>th</sup> One Thousand six hundred sixty and six: and cannot submit to this arbitrary way, especially as the Law [was] made since the Dissolution of the charter of this Place. Gov<sup>r</sup> seems somewhat resolute: the Court Adjourned till Thorsday.”<sup>2</sup>

Thursday, December 17, 1685. “At County-Court nothing done in Mr. Sergeant's Business: so he makes a speech when the Court open, that if the Court did nothing they would give him a Record of it, that he might go elsewhere for he would not be kept out of's Money; speaking warmly.

“Mr. Francis Stepney, the Dancing Master, desired a jury, so He and Mr. Shrimpton Bound in 50£ to Jan<sup>r</sup> Court. Said Stepney is ordered not to keep a Dancing School; if he does will be taken in contempt and be proceeded with accordingly. Mr. Shrimpton muttered, saying he took it as a great favour that the Court would take his Bond for £50.”<sup>3</sup>

Stepney was to have his jury “to try his speaking Blasphemous Words; and Reviling the Government.” He was fined £100, of which £10 were to be paid down, “the rest respited until the last of March, that so [he] might go away if he would. He appeals: Mr. Shrimpton and Luscombe his sureties.”<sup>4</sup> This entry shows that others than Shrimpton were critical on the methods of dispensing justice in the colony.

In February, 1686, another change was made in the law relating to wills, and the extent of the change will be best shown by a parallel: —

<sup>1</sup> Diary of Samuel Sewall, I. 104, 110.

<sup>2</sup> *Ibid.*, 112.

<sup>3</sup> *Ibid.*, 111

<sup>4</sup> *Ibid.*, 121



October, 1685

As an addition to the law, title Wills, it is ordered by this Court and the authority thereof, that the magistrates of each County Court in this jurisdiction, being annually chosen by the freemen, shall haue full power & authority (as the ordinary in England) to suſmons any execcuto<sup>r</sup> or execcuto<sup>r</sup>s appointed to the will of any deceased person, who haue declared his or their acceptance of that trust by offering the sajd will for probate, or otherwise requiring him, her, or them to give bond, with sufficient suretjes, for paying all debts and legacies, or to make and exhibit vnto the Court, vpon oath, a just and true inventory of all the knowne lands, tennements, goods, & chattells of the deceased; and in case such execcuto<sup>r</sup> or execcuto<sup>r</sup>s shall neglect or refuse so to doe, sajd Court shall proceed against such person or persons by imposing a fine or fines vpon them, not exceeding tenn pounds p moneth for euery monthes default after the expiration of the time that shall be appointed by the sajd Court for bringifi in an inventory; and vpon complaint of any creditor or legatory, they shall call any execcuto<sup>r</sup> or execcuto<sup>r</sup>s to render an account of his or their administration.

And it is further ordered, that the sajd Court shall haue full power to receive any information or com-

February, 1685-6

Whereas, the majestates or members of the respective County Courts haue allwayes had power to receive & record all probates of wills, & of granting administrations &c<sup>a</sup>, it is further ordered by this Court and the authority thereof, that each County Court within this jurisdiction shall haue full power & authority, From time to tyme, as they shall see cawse, to suſmon any execcuto<sup>r</sup> or execcuto<sup>r</sup>s of any deceased persons last will & testament, legally proved & on record, to appeare before the sajd Court, and to require him, her, or them to make & exhibit into the registry of the Court a just & true inventory, vpon oath, of all the knowne lands, teniements, goods, and chattells of the deceased, or to give bond with sufficient suertjes for the paying of all debts and legacies of the deceased. And in case such execcuto<sup>r</sup> or execcuto<sup>r</sup>s shall neglect or refuse so to do for the space of thirty dayes next after, or such further time that the sajd Court shall to them lmitt & appoint, the Court shall proceed agāst such persons, by imposing a fine or fines vpon them not exceeding tenn pounds p moneth for euery mon<sup>th</sup>s default after the expiration of sajd time so appointed, also vpon the complaint of any credito<sup>r</sup> or legatory to call any execcuto<sup>r</sup> to render an accompt of his or their administration.

And it is further ordered by this Court & authority thereof, that the County Courts respectively shall

plaint from any legatee or credito<sup>r</sup> against any execcuto<sup>r</sup> for the deteyning any legacy or any legacies given by the testato<sup>r</sup> or debt due from the sajd estate, and to grant su<sup>m</sup>on<sup>s</sup> and process, as is vsuall in other cases, for the appearance of such execcuto<sup>r</sup> or execcuto<sup>rs</sup>, at dayes and place assigned by the sajd Court; and vpon neglect or refusall to appeare accordingly, the Court shall proceed to the hearing of the complaint, and to make their decree and determination thereon, and to grant forth execution for the fullfilling thereof; likewise, to heare & determine all cases relating to wills and administrations, and to make theire decrees and grant executions there vpon, allowing to the party agrieved liberty of appeale to the magistrates of the next Court of Assistants, such partjes attending the law as in other cases respecting appeales; alwayes provided, that where matter of is controverted, then either plaintiff or defendant may haue a tryall thereof by a jury, if it be desired, w<sup>th</sup> liberty of appeale to the next Court of Assistants, as the law directs, any law vsage, or custome to the contrary notwithstanding.<sup>1</sup>

haue full power to receive any information or complaint from any legatory or credito<sup>r</sup> against the execcuto<sup>r</sup> or execcuto<sup>rs</sup> to the will of any deceased person, for the deteyning from him, her, or them any legaty or legatys givin by the testato<sup>r</sup>, or debt due from the estate of such testators, and to grant forth su<sup>m</sup>ons or process; together with a copy of sajd complaint or information annexed, for the appearance of such execcuto<sup>r</sup> or execcuto<sup>rs</sup> before sajd Court, the sajd warrant, with the libell annexed, to be served fowerteen dayes inclusively before the day appointed for appearance; and it shall be in the power of the Court to order the time of hearing at their first sessions, or at any adjournment of sajd Court as to them shall seeme meet. And vpon neglect or refusal of such person or persons to appeare accordingly, the Court shall proceed to the hearing of the case, and make their judgment or decree therein, & grant forth executions for the fullfilling thereof; likewise to heare & determine all cases relateing vnto wills and administrations, and to grant forth executions vpon their judgment given therein.

Allwayes provided, that when matter of fact is controverted, then either plaint<sup>r</sup> or defendand desiring the same before issue be joyned,

may haue a tryall thereof by a jury to be forthwith su<sup>m</sup>oned by warrant from sajd Court; if there be no jury then empannelled, the sajd party or partjes making theire whole plea or allegation as to all matters of fact at their first hearing and answer, that justice may not be delayed, allowing liberty for any party agrieved at the judgment and determi-

<sup>1</sup> Records of Massachusetts-Bay, v. 503.

nation of the Court, or virdict of the jury, to appeale to the next Court of Assistants, giving in their reasons of appeale as the law directs in either cases; and euery person, before his complaint be received or admitted, shall give caution vnto the Court to the vallue of tenn pounds in money to respond all such charges & fees as the Court shall award, any law, vsage, or custome to the contrary notwithstanding, provided, that law shall not be vnderstood to debarr any person or persons from proceeding in the former & vsuall course of law for the recouery of any debt or legacy due from the estate of the deceased person expressly determined by will.<sup>1</sup>

The ink was hardly dry before Sergeant hastened to begin proceedings:—

“Thorsday, Feb. 25. The Law about Wills and Administrations is published; and almost as soon as the Drumm had done beating, Mr. Serj<sup>t</sup> comes with his Petition: and an order is made for a Hearing next Monday; 3 weeks, the 22<sup>d</sup> of March: some would have had it sooner, and Mr. Nowel and Self thought it very indecent that it was so soon, especially considering, the Order made upon a Law scarce yet out of the Marshal’s Mouth.”<sup>2</sup>

This produced the catastrophe:—

Tuesday, March 23. “Hear of the sad consequences of yesterday’s County-Court, Mr. Shrimpton’s saying there was no Governour and Company. Heat between the Members of the Court. I can’t yet understand that Mr. Nowell, Cook, or Hutchinson were there. Some are much offended that Mr. Shrimpton was not sent to Prison.”<sup>3</sup>

The story may now be told by the documents in the case found in the Chamberlain collection:—

#### ORDER OF THE COURT.

The Honourable Gov<sup>t</sup> & Mag<sup>t</sup> lately assembled in y<sup>e</sup> Count Court at Boston, Do informe the Councill now assembled that M<sup>r</sup> Samuel Shrimpton being su<sup>m</sup>oned to attend s<sup>d</sup> Court in a Civill case, in a Proud & Contemptuous manner declared hims: y<sup>t</sup> there was no Gov<sup>t</sup> & Company, of w<sup>ch</sup> the Gov<sup>t</sup> had [*illegible*] & therefore he would make no answ<sup>r</sup> to y<sup>e</sup> su<sup>m</sup>ons given him for his appearance & added thereunto sevrall reviling words ag<sup>t</sup> y<sup>e</sup> Gov<sup>t</sup>:<sup>4</sup>

<sup>1</sup> Records of Massachusetts-Bay, v. 508.

<sup>2</sup> Diary of Samuel Sewall, I. 123.

<sup>3</sup> *Ibid.*, 123.

<sup>4</sup> This first part is in the writing of Thomas Danforth.

Boston, 26 March 1686, upon w<sup>ch</sup> The Court ordered y<sup>e</sup> marshall to goe & tell M<sup>r</sup> Shrimpton That the Court would speak w<sup>th</sup> him. W<sup>ch</sup> he did & Returnd he was home to Nodles Island & sayd he had left Information & that they would send to him & y<sup>e</sup> Court Adjourn'd till 5<sup>th</sup> day next 1<sup>st</sup> Aprill 86 & ordered y<sup>e</sup> Secretary to lett M<sup>r</sup> Shrimpton know y<sup>t</sup> at y<sup>e</sup> time he should attend y<sup>e</sup> Court presently after y<sup>r</sup> leisure. E R S.<sup>1</sup>

Endorsed: Complaint ag<sup>t</sup> M<sup>r</sup> Samuell Shrimpton: to y<sup>e</sup> Council, 26 of March 1686.<sup>2</sup>

#### SHRIMPTON'S STATEMENT.

I did say, There is no Governour and Company of this Place in being, That the Govern<sup>r</sup> had A Signification of the Dissolution of the Charter of this Colony and that I was not willing to Submit to Laws made since that day. And what I said to the Govern<sup>r</sup> as to wrong done, I then Explained to be only in Reference to an Arbitration wherein his Hono<sup>r</sup> was one, and without any Reflection with respect to any Judiciall Act: And if any heat then expressed it was occasioned by my being call'd after two or Three Thieves, and as I apprehended at M<sup>r</sup> Sergeant's Choice, The Govern<sup>r</sup> asking him If he would Then have his Cause Called Saying there was but a thin Court, notwithstanding the Five Senio<sup>r</sup> Magistrates of the County were present. The perticulars above, I yet aver to be True and if put upon it shall Endeavour to prove.

And I am your Honors Humble Servant

SAM<sup>l</sup>: SHRIMPTON.

Boston, April 1<sup>o</sup> 1686.<sup>3</sup>

#### INDICTMENT OF THE GRAND JURY.

Wee the Grand Jury for our sovereign Lord the King for the Massachusetts Colony present & Indict M<sup>r</sup> Samuel Shrimpton of Boston merchant for that he at the County Court sitting in Boston on the 22<sup>th</sup> of March last, in a Contemptuous violent & seditious manner & with a loud voyce did in open Court say that he was brought there by M<sup>r</sup> serjants order & not by the Courts & that he denied any such thing in being as Govern<sup>r</sup> & Company of the Colony and that he stood there to justify it & denied their power and they might send him to prison if they pleased, which words in the same manner he repeated over & over againe with divers other seditious words & expressions as by the evidences will & may Appaere, thereby defaming the Generall Court

<sup>1</sup> Edward Rawson, Secretary.

<sup>2</sup> Cham. E. 13. 67.

<sup>3</sup> Ibid., 57. The paper is printed in part in the Records of the Court of Assistants, I. 297. Those Records also give (298) an account of the appearance of Shrimpton before the Court on April 15, and his demand to be tried by a jury.

& said County Court and Caused such a tumult in the Court as evidently tended to the high breach of his maj<sup>ties</sup> peace & great scandall & reproach of his maj<sup>ties</sup> Government here & all this Contrary to the peace of our Sovereign Lord the King his Crowne & Dignity & the laws of God & of this Jurisdiction & particularly [the law title Courts Sect 6:]

Wee finde this bill & leave it to further Tryall.

PENN TOWNSEND Foreman

in the names of the rest of the jury.

22. 2 : 86 This Indictment was received in upper court the 17<sup>th</sup> of April 1686 = Edw<sup>d</sup>. Rawson Secr<sup>y</sup> <sup>1</sup>

#### DRAFT OF WARRANT.<sup>2</sup>

To Jn<sup>o</sup> Green marshall Generall or his lawfull Deputy.

In his Maj<sup>ties</sup> name you are by vertue of an orde<sup>r</sup> of the Court of Assistants required to. Attach the Person of M<sup>r</sup> Samuells Shrimpton of Boston merchant & Require him to Give you his Bond w<sup>th</sup> suretyes in a thousand pounds for his personall appearance before the Court of Assistants to sitt in Boston on the 22<sup>th</sup> Instant at two of the clock in the afternoon on their adjournm<sup>t</sup> to Ans<sup>r</sup> what is layd to his charge by the Virdict of the Grand Jury given in on the day of the date hereof against him & in Case of his Refusall to give bond you are In like manner Required to Comitt him to y<sup>e</sup> prison in Boston till the Courta Adjournm<sup>t</sup> Make your Returne and fayle at you<sup>r</sup> perill Dated in Boston 17<sup>th</sup> of April 16[86] By y<sup>e</sup> Court

EDWARD RAWSON, *Secret.*<sup>3</sup>

#### WARRANT AS ISSUED.

To Jn<sup>o</sup> Greene Marshall Generall or his lawfull Deputy.

In his Maj<sup>ties</sup> name you are required to app<sup>r</sup>hend the body of M<sup>r</sup> Samuel Shrimpton of Boston merchant & require of him bond with suretyes in one thousand pounds ste<sup>r</sup>is for his personall appearance at the Court of Assistants to be held by Adjournment at Boston the 22<sup>th</sup> Instant at two of the clocke in the afteruooone to make his answer to the p<sup>r</sup>sentm<sup>t</sup> of the Grand Jury by them given in against him at the Court of Assistants held at Boston the day of the date hereof for his seditious Carriage w<sup>th</sup> a high hand in open County Court in Boston 22<sup>th</sup> march last & Contempt of his Maj<sup>ties</sup> authority as is most particu-

<sup>1</sup> Cham. E. 13. 61. It is printed in the Records of the Court of Assistants, I. 299.

<sup>2</sup> This warrant was issued as Shrimpton had not appeared before the Court, as ordered.

<sup>3</sup> Cham. E. 13. 63. Probably the first form of the next paper or actual warrant issued.

larly expressed in said Indictment, and on his faleur to give bond as is above required you are to Comitt him to safe keeping in the prison in Boston hereof you are to make a true returne under y<sup>r</sup> hand & faile not at you<sup>r</sup> perrill. Dated in Boston 17 Aprill 1686.

By y<sup>e</sup> speciall orde<sup>r</sup> of the Court of Assistants  
EDWARD RAWSON *Secr<sup>ty</sup>*.

#### ENDORSEMENT.

22 April 1686

I have apprehended the body of M<sup>r</sup> Samuel Shrimpton of Boston merchant by vertue of the within warrant by order of the Court of Assistants under the hand of M<sup>r</sup> Edward Rawson Secretary bearing date the 17 of Aprill 1686. and did then require bond of him the said M<sup>r</sup> Samuel Shrimpton in the sum of one thousand pounds sterling according to the within warrant he refusing to give bond according to y<sup>e</sup> said warrant I have comitted him to y<sup>e</sup> safe keeping of the prisonkeeper in Boston by vertue of the within warrant.

JOHN GREEN *Marsh<sup>l</sup> Generall*.<sup>1</sup>

#### SHRIMPTON TO THE SECRETARY.

April 17<sup>o</sup> 1686

M<sup>r</sup> SECRETARY.

S<sup>r</sup>, — I am Informed that the Govern<sup>r</sup> & Magistrates are in Expectation of my appearance at the Barr this Morning, but I can not tell in what form of Law. I was neither Committed to Prison, nor bound over, nor so much as Injoin'd to Appeare, nor ever gave my word for Appearance, nor have I received any Copy of my Charge to prepare Answer, and therefore am of Opinion that my Attending the Court at this time can not Issue the matter charg'd upon me. I hope I may expect the Favour & Just procedure of Law against me, as the Law provides for every English man. I am

S<sup>r</sup> Yo<sup>r</sup> Serv<sup>t</sup>

SAMUEL SHRIMPTON.

Endorsed "Read in Court 17 Aprill 1686"

#### SHRIMPTON'S STATEMENT.

To the Honoured Court of Assistants now sitting in Boston Samuel Shrimpton humbly Sheweth.

That as to what Lately happened from me in the County Court I do acknowledge that notwithstanding the provocation that I then thought was given me The Passion that was moved in me, & the ma<sup>n</sup>ner of my Expression & managem<sup>t</sup> thereupon was very Intemperate, unjustify-

<sup>1</sup> Cham. E. 13. 62.

<sup>2</sup> Ibid., 64

able and Evil; and so much I would willingly have acknowledged upon the recollecting my selfe, had the Court at that time given the Oppertunity as I wish they had; It is well known I have never been an Eniemy to the Governm<sup>t</sup> here Established; nor desirous of its overturning, but have been Obedient to it and served the Publick willingly & Chearfully at all times according to my Capacity; and wish I might have Oppertunity so to doe still for many a Day: so that I do truly affirme, that it was not at all in my Intention and I am Confident also not in my Words to deny the being of Government or of Courts for the Exercise there of in the common & ordinary way of Justice and usuall proceedings amongst us: all that I denied was with reference to that new Law & method of proceedings established since Judgment given against the Charter according to which I was then prosecuted, This formerly and at that time was my Plea in Law & Legall Defence in the case, from which I do not nor can not depart, hoping that such an Opinion in point of Law & the pleading there of will not in any of his ma<sup>ties</sup> courts be Judged to make me so high a Criminall, and if this that I now say may be so far accepted by this hono<sup>ble</sup> Court as to pass by my Errors of Passion I shall greatly Rejoyce, however I am sorry I have been the Occasion of so much trouble to the court & was not then so fully sensible of the Ill consequence, not Intending the weakening the hands of Authority by any Reflections.

I am

Yo<sup>r</sup> hono<sup>r</sup> humble Servant

SAM<sup>L</sup> SHRIMPTON.

[22 April, 1686]<sup>1</sup>

#### SHRIMPTON'S PLEA.

Samuel Shrimpton being to appeare at the Court of Assistants sitting in Boston by adjournment April the 22<sup>d</sup> 1686 to answer to an Indictment or presentment found against him by a Grand Jury whereof Pen Townsend was Foreman, Pleads not Gilty of any Crime the punishment whereof is Loss of Life, Member or Banishment, or belongs to the Court of Assistants to heare and Determine. In the Indictment or presentment there is to be considered.

1<sup>o</sup> The matter of Fact, The Words Spoken, : 2<sup>d</sup> The Place Where. 3<sup>d</sup> The time when. 4<sup>th</sup> The maner how the words were spoken, In a contemptuous, violent & seditious maner, & with a Loud Voice. 5<sup>o</sup> The Effect they wrought, Defaming the Generall Court & County Court and caused such a Tumult in the Court as Evidently tended to the High breach of his Ma<sup>ties</sup> Peace and Great Scandall of his Ma<sup>ties</sup> Government here. 6<sup>th</sup> The Conclusion, Contrary to the peace of our sovereign Lord the King his Crown and Dignity, and the Laws of God

<sup>1</sup> Cham. E. 13. 60.

and of this Jurisdiction, and particularly the Law Title Courts Section the Sixth.

1<sup>o</sup> The Words said to be Spoken, That I was brought there by M<sup>r</sup> Sergeant's order and not by the Courts, If they were Spoken were occasioned by the Governo<sup>r</sup> speaking to M<sup>r</sup> Sergeant once and againe, asking him whether he would have his Case called or no, alledging it was but a Thin Court. So that in my apprehention it was wholly & absolutely at M<sup>r</sup> Sergeant's [*illegible*] whether I should be called at that Court or not, although the Court was Adjourned purposely for my tryall, which I counted a Favour to M<sup>r</sup> Sergeant & Disfavour to me more then either of us deserved and more than I Expected.

2<sup>d</sup> The Place where the words were spoken, namely at the County Court sitting in Boston.

3<sup>d</sup> The Time When, was the 22<sup>d</sup> of March last, by the Indictment no man can tell when that was, because the Indictment is without Date. I humbly conceive it is void & null by Reason of the want of a Date, The Time, the Day, & Year when the offence was Committed, as well as The Place Town & County where it was done, is Essential to the very being of an Indictment, The Laws and Customs of England evince it, and agreeable therewith is the Law of this Jurisdiction, Title Indictments, The Indictment must be made & Exhibited within one Year after the Offence Committed or the Indictment is void and of none Effect, who can tell by this Indictment when the Fact was Committed? or when the Indictment was made or Exhibited? But if it be alledged That the Date to the Indictment may be added or the Time when the Fact was done otherwise manifested; I answer I am of Opinion (1<sup>o</sup>) That the Date can not be Supplied. The Jury is Dissolved and hath no being and therefore can not Act; That which hath no Essence, Can not have Action.

The Court can not add the Date because it is Post Factum after the Inquest, and Return of the Bill, and if there be either Addition or Diminution or any Alteration, it is not the Same Bill which the Inquest found, but anothe<sup>r</sup> which was never before their Consideration. (2<sup>d</sup>) I conceive that the Time when the Fact was Committed and the Indictment Exhibited can not be proved by the Witnesses because it is not contained in the Bill; Let what will be contained in the Evidences, Yet the jury have found no more than is Contained in the Bill, and no more nor no less am I to Plead unto: For altho the Jury have found I spake such words, They have not found when, & so indeed have not found any thing, and therefore I humbly think the Bill is void & of none Effect. I pray yo<sup>r</sup> hono<sup>r</sup>s to consider it.

An Attachment for but Fourty Shillings if it hath no Date will be voide and no Tryall or Judgment can pass thereupon, Then surely by the like Reason, an Indictment without date it being of a farr higher



nature whereby Life, Limb, or Liberty is hazarded upon the tryall ought to be void. The higher the fact the more exactly Legall in all Respects ought the proceedings to be.

4° For the manner of Speaking the words, I confess that what words I spake was uttered with too Loud a voice, & in too violent, A manner, for which I am hartily Sorry and humbly Crave yo<sup>r</sup> pardon. I was provoked and moved into Passion by the Sence of that Indignity & Ignominy that was put upon me by being called amongst Theives & Rogues, at the pleasure of my Adversary: and if they were Contemptuous, yet [*rotted away*] breach of any Law the Penalty whereof is Loss of Life Member or Banishment, nor do I know why the Word Seditious is put into the Bill, except because one of the Wittnesses whose venerable esteem [of his ?] own parts and knowledge moved him out of his own low Sphære of Wittness into the high one of a Judge, whose Zeale, Pride or Envy carried him above the Worke of a Wittness of Giving his Evidence in the matter of Fact which he was Called unto, Into the place of a Judge in giving a name to the Fact which he never was call'd unto, which Insolence deserves Reproof, rather than his Integrity merriits Applause.

5° Concerning the Effect which the Words wrought, They did not Defame the Generall Court nor County Court, They had no relation unto them but unto the Govern<sup>r</sup> & Company; I suppose there is a Distinction between the Govern<sup>r</sup> & Company, & the Generall Court & the County Court, The Gov<sup>r</sup> & Company I think consists of the Govern<sup>r</sup> & all the Freemen; The Generall Court consists of the Govern<sup>r</sup> or Deputy Govern<sup>r</sup> Assistants & Freemen's Deputyes or Representatives: The County Court consist of any Three Magistrates, I never defamed the Generall Court, nor any other Court, I spake not of Courts but of the Govern<sup>r</sup> & Company whose being I denied, and not of Courts, whose Existence might be continued by his Ma<sup>ties</sup> Gracious Proclamation, notwithstanding the Charters Condemnation.

6° As for the Conclusion I deny it, Those words were not contrary to the Peace of our Sovereign Lord the King his Crown and Dignity, Nor Contrary to the Laws of God, or this Jurisdiction, nor no breach of the Law, Title Courts Section the Sixth, The Peace of the King was not violated for as much as at first Comānd of the Govern<sup>r</sup>, the Court was cleared & the Peace preserved: The Kings Crown & Dignity no wayes opposed or detracted from, Nothing of the Kings Govern<sup>mt</sup> here, denied: but only the manner of the Existence of it in the Govern<sup>r</sup> & Company of the Massachusetts, By virtue of the Charter which is vacated; which in good Consequence is an Asserting of the power of Govern<sup>mt</sup> here to exist in the King, and by virtue of the Kings Proclamation in those persons in Authority; Therefore not against the Kings Crown & Dignity.

Neither against the Law of God nor the Laws of this Jurisdiction know no Law I have broken, But in Spetiall maſſer the Law title Courts Section Sixth, not broken. I have not Defamed any Court of Justice, I ſpake not a word of Courts or their Sentences, The Govern' & Company never was a Court. I hope by what is premised it will appear 1<sup>o</sup> That the Indictment found against me is void & of none Effect, having no Date, and therefore ought by Law to be Quash'd. 2<sup>d</sup> that I am not guilty of the breach of any Law the penalty whereof is Loss of Life, Member or Banishment, nor of any crime Cognis [*illegible*] at the Court of Assistants, nor guilty of the breach of the Law Title Courts Section Sixth, not having defamed any Court, nor having spoke any thing concerning any Court or their Judgments or Sentences [*illegible*] of the Being of the Govern' & Company which I did deny, it being my Opinion, and if that be a Crime it is not Defamation of any Court, but the most is Contempt, which lieth not at this Court.

Neither have I been an Enemy to this Jurisdiction, but have been allwayes Willing & Ready with my person & Estate to suport the same, in the same way it was settled by the Patent, and should be Glad if it was the Kings Pleasure to Reestablish it upon its old Foundation & Basis, being not Desirous of Innovation but of Reformation.

SAMUEL SHRIMPTON.

Endorsed : M<sup>r</sup> Shrimptons Plea put in & was read in open C<sup>t</sup> of Assist<sup>ts</sup> 22<sup>th</sup> of Aprill 1686

#### SHRIMPTON'S OBJECTIONS.

I can not nor ought to plead to this Indictment for Several Reasons.

1<sup>o</sup> It is not made in due form of Law, For it doth not mention the County where the offence was committed, The word New England is a Generall word, it may be done in the County of Essex or Norfolk or any other County & thō afterwards tis s<sup>d</sup> the Grand Jury for the Massachusetts Colony, do Indict & yet names not the County where the offence was done, nor for what County they serve, nor where they did meet or where the Indictm<sup>t</sup> was taken, Now the Law is positive. That the County as well as y<sup>e</sup> Town must be Express'd. v. Ship : Country Jus<sup>t</sup> p. 133. & Pract<sup>is</sup> Regis<sup>r</sup> p. 136.

2<sup>d</sup> The Indictm<sup>t</sup> is not Dated, neither the year of o<sup>r</sup> Lord nor the Year of the King mentioned, nor the month nor Day, & so is uncertain nor doth appear when it was done, therefore Defective in an Essentiall part, The Law is Positive That this ought to be expressed, neither can it afterwards be supplied by averment or Implication. Pract. Regis<sup>r</sup> p. 122. & 136. Ship : Country Jus : 115 : 126 p : 138. Duty G : Juries p : 139. & 140.

3<sup>d</sup> In the Indictm<sup>t</sup> there is words Inserted, that are not in the Law or Statute w<sup>ch</sup> it is founded upon, The Indictm<sup>t</sup> saith [In the Law

Title Courts sect 6<sup>th</sup> ] w<sup>ch</sup> Law speaks about Defaming, but not a word of Contempt, violence or Sedition. Now the Law is plain, That an Indictm<sup>t</sup> framed upon a Statute ought only to pserve the words of y<sup>e</sup> Statute. Pract: Regist<sup>r</sup> p: 121. 137.

4. The Indictm<sup>t</sup> refers to the Evidences without naming what, or whose evidences, & so in effect refers to nothing, The witnesses Names & Dates of their evidences ought to have been Incerted in y<sup>e</sup> Indictm<sup>t</sup>.

5<sup>o</sup> By the Laws & Customs of England all the Jurors as well as the Foreman, should subscribe their names, or else the Indictm<sup>t</sup> is defective w<sup>ch</sup> in this case was not Done.

So that upon the whole I say, The County & Time being wholly uncertain, & words being Introduced besides & not psuant to the words of the Law or Statute on w<sup>ch</sup> the Indictm<sup>t</sup> is founded & the referring to evidences without naming y<sup>e</sup> witnesses & the Dates of their Testimonies to w<sup>ch</sup> it refers, & finally not Duely signed by all of them (The Least of w<sup>ch</sup> objections is abundantly sufficient to Quash the Indictm<sup>t</sup>) I can not see any Ground or Reason for me to plead or make answe<sup>r</sup> to y<sup>e</sup> Indictm<sup>t</sup>.

SAMUEL SHRIMPTON.

Endorsed: Mr. Shrimpton's Objections sent in by y<sup>e</sup> Marshall Gen<sup>l</sup> 22 Aprill (86).<sup>1</sup>

With this paper end the records relating to this colonial incident. I think the case of Shrimpton is interesting as an exhibition of the exercise of arbitrary power. Although the following paper has no relation to this case, I add it as one of the few letters of Shrimpton to be found.

Boston, March 2<sup>d</sup>, 1685/6

An Answer to Hudson Leverett Attorney to Richard Pateshall plan<sup>t</sup> his Reasons of Appeale, From the Judgment of the County Court, for Suffolk 27<sup>o</sup> Octob<sup>r</sup> last, To the Hono<sup>ble</sup> Court of Assistants now Sitting: Exhibited by Samuel Shrimpton in behalf of Stephen Haskott Defend<sup>t</sup>: s<sup>d</sup> Shrimpton being Security for the s<sup>d</sup> Haskott. viz<sup>t</sup>

1<sup>o</sup> The Bill which Haskett gave to Pateshall was Conditionall; with proviso, that Israel Thorne should not be forced, or taken away by force of Law. Now to say, That an Impress by ord<sup>r</sup> of the General Court or of the Governo<sup>r</sup> & Councill, is not, or hath not the force of Law, is at once to Strike at both the Law & also the power & authority of the General Court, (the highest in this Jurisdiction) The Ill Consequences where of would be needless to Enumerate.

2<sup>d</sup> That the s<sup>d</sup> Israel Thorne was Impressed by Order from Authority & did go & Serve in the Indian Warrs, whereby the said

<sup>1</sup> Cham. E. 13. 65.

Haskett was wholly Frustrated of his Work & Service, (The only occasion & Reason of his Bill to Pateshall) and that he did not againe returne, & enter into the Service of the s<sup>d</sup> Haskott as is Falatiously pretended, was by the papers then given in, made plain & evident to the County Court & Jury, and undoubtedly will so appeare (when duely Considered) unto this Hono<sup>ble</sup> Court & Gent of the Jury notwithstanding the vain & false Pleas & Suggestions to the Contrary expressed in the Appellants Irrationall and Impertinent Paraphrase upon the Proviso-Clause, in the Bill will be no Just Ground or Occasion to Reverse the former Judgment, But that the Bill it selfe will be found void & null, The Condition therein Express'd not being performed, and Consequently that the former Judgment will be Confirmed w<sup>th</sup> Costs &c All which is humbly offered in behalf of the Defend<sup>t</sup> by

Yo<sup>r</sup> Hono<sup>r</sup> Humb<sup>l</sup> Serv<sup>t</sup>

SAMUEL SHRIMPTON.<sup>1</sup>

The senior VICE-PRESIDENT read the following paper: —

*John Foster, the Earliest Engraver in New England.*

An interesting collection of early American engravings is now on exhibition at the Museum of Fine Arts in Copley Square. It is the first attempt anywhere to make a general display of such prints, though from time to time there have been exhibitions of a similar character, but restricted to particular persons or subjects. As the town of Boston was the cradle of the art in this country, it is highly proper that the first exhibition of the kind should be held in the place of its infancy. The period of time covered by the various specimens runs from about the year 1670 to 1812; and the skill of 150 artists is represented by 665 engravings of all kinds, including wood, copper, type-metal, and even die-cutting. Nearly a year has been spent by Mr. Emil H. Richter in making the collection, and to him is due largely the success of the undertaking. The display is of more interest historically than from an artistic point of view, as it shows the development of the art from a crude beginning. In the early days of the Colony there was but little time to cultivate the fine arts, and but small means to encourage the taste.

The earliest specimen in the collection is a portrait of the Reverend Richard Mather, of Dorchester, the ancestor of a long line of noted ministers, which was rudely cut by John

<sup>1</sup> Cham. Ch. E. 13. 59.

Foster, at that time a recent graduate of Harvard College, who later became the first printer of Boston. To him also is attributed with a good deal of probability a Map of New England, which is full of interest as being the first one ever engraved in this country; and an impression of this map, too, is among the objects shown. The title says that it is "the first that ever was here cut"; and adds that "The Figures that are joynd with the Names of Places are to distinguish such as have been assaulted by the Indians from others,"—a bit of pathetic description which brings clearly to mind the close connection of the life of that period with savage warfare.

John Foster was a native of Dorchester,—that part of the town which became South Boston more than a century ago,—and a graduate of Harvard College in the Class of 1667. He was born in 1648, and baptized on December 10 of that year. It is known that he was the first printer in Boston, where he set up a press in the early part of 1675, though only two of his titles dated that year have come down to the present time. It is known also that he was an early engraver, but it has been supposed that he was primarily a printer, and that later he drifted into the art of engraving as akin to his chosen trade. In very recent times light has been thrown on this subject, and there is good reason now to believe that he took up printing as an after-thought, having first had some experience as an engraver. The earlier occupation crops out in a letter dated at Roxbury, September 4, 1671, which was written by John Eliot, the Apostle, to the Commissioners of the United Colonies, then sitting in Boston, wherein he says:—

Further I doe p'sent you w'h o' Indians A. B. C. & o' Indian Dialog<sup>s</sup> w'h a request y<sup>t</sup> you would pay Printers work an ingenious young scholar (S<sup>r</sup> Foster) did cut, in wood, the Scheame, for w'h work I request y<sup>t</sup> you would pay him. I think him worthy of 3 or 4 or 5<sup>li</sup> but I leave it to your wisdoms. (Page 46.)

04:00:00

The letter is given in full on pages 43–47 of "Some Correspondence between the Governors and Treasurers of the New England Company in London, and the Commissioners of the United Colonies in America, the Missionaries of the Company, and others between the years 1657 and 1712, to which

are added the Journals of the Rev. Experience Mayhew in 1713 and 1714" (London, 1896, privately printed). In his "Biographical Sketches of Graduates of Harvard University," Mr. Sibley says: "Frequently, if not generally, graduates continued their studies at the College after they had taken their first degrees, being called *Sirs* till they took their second degrees as Masters of Arts." (I. 17, *note*.) This statement explains the title given by Eliot to Foster, though according to the Quinquennial Catalogue of the College, he never took his second degree.

At the date of Eliot's letter Foster had been out of college four years, and already had some little experience as an engraver, certainly enough to be employed to "cut, in wood, the Scheame." The expression is somewhat blind, and I do not understand fully the meaning, but evidently it refers to some kind of engraver's work. Perhaps it was a small broadside or poster, with the letters of the alphabet cut in large blocks, so that little children could easily learn the various characters. The "Indian Dialog," mentioned in the same sentence, was printed at Cambridge in the year 1671, probably by Marmaduke Johnson. There is nothing in this book, apparently, with which Foster's "Scheame" could be connected, so that the expression evidently applied to the "A. B. C." book or broadside.

At this time Foster was living at Dorchester, where he was engaged in teaching a grammar school. Presumably as a young man he had a natural gift of drawing or sketching, and a knack of cutting wood which stood him in good stead when earning his livelihood after graduation from college. Undoubtedly he was a self-taught artist; and, while teaching was his vocation, he took up engraving as an avocation which in no way interfered with his regular duties. He engraved the portrait of Richard Mather, probably about the time of Mather's death, which was on April 22, 1669. The pamphlet entitled "The Life and Death of that Reverend Man of God, Mr. Richard Mather" (Cambridge, 1670), was printed the next year; and one copy at least is known to have had as a frontispiece this cut, which was duly signed "Johannes Foster sculpsit."

In James Blake's "Annals of the Town of Dorchester" (Boston, 1846), under the year 1681, it is recorded: —

This year Died Mr. John Foster, son of Capt. Hopestill Foster; School-master of Dorchester, and he that made the then Seal or Arms of y<sup>e</sup> Colony, namely an Indian with a Bow & Arrow &c. (Page 29.)

It is known that the origin of the Colonial seal dates back to the earliest days of the Charter, so that this allusion is to the engraver and not to the designer. The annalist referred to wood-cut impressions of the "Seal or Arms of y<sup>e</sup> Colony," that had appeared in several books of that period, notably in "The General Laws and Liberties of the Massachusetts Colony" (Cambridge, 1672), and in various supplements to the Laws. There are two distinct engravings of this seal, one of which appears in Increase Mather's "Brief History of the Warr with the Indians in New England" (page 15), printed by Foster. The cut undoubtedly was used in order to give an official appearance or character to the various papers and documents printed for the Colonial authorities; and in Mather's Brief History it appeared in connection with a proclamation issued by the Governor and Council.

Next in order of time comes Foster's Map of New England, which passed through two editions during the early part of 1677, and appeared in the Reverend William Hubbard's "Narrative of the Troubles with the Indians" (Boston, 1677). The first edition of the Map contained so many mistakes that a second block, a trifle larger than the first one, was cut, in which most of the inaccuracies are corrected. The two editions bore exactly the same title, together with a few lines of type mortised in the wood, stating that it was "the first that ever was here cut," etc.

I have already said that presumably John Foster had a natural gift of drawing or sketching; and this presumption is borne out by an extract from a letter dated at Boston, June 22, 1680, and printed in the Collections (fifth series, VIII. 421) of the Massachusetts Historical Society. It was written by Wait Winthrop to his brother John, at New London, Connecticut; and the extract reads as follows: "I haue sent you a map of the towne, with Charlestowne, taken by M<sup>r</sup> Foster the printer, from Nodles Island. Twas sent for Amsterdam, and y<sup>r</sup> printed." It was probably a View of the two towns,—and not what is now understood as a map,—as seen from Noddles Island or East Boston, and sent to Holland in order

to be engraved by a skilled artist. It is not known that a specimen of this interesting cut is now extant, though a copy would excite the deepest interest among collectors. In a letter, dated at Boston, July 15, 1686, Chief-Justice Samuel Sewall writes to Edward Hull, of London, that "There is enclosed in the top [of a box] a Mapp of this Town which please to accept off" (Letter-Book, I. 32). This reference seems to show that the engraving had been made, and that prints were received in Boston.

After Foster gave up teaching at Dorchester in the early part of 1675, he opened a printing office in Boston. His place of business stood "over against the Sign of the Dove," on the south side of Boylston Street, somewhere between Washington and Tremont Streets, as those great thoroughfares are known to-day. He was not bred a printer, and probably knew but little of the art excepting what a clever young man would pick up by observation on seeing the work done at Cambridge. The product of his press in good taste and workmanship was nowise inferior to what came from the other printing office. "In 1678 he appears to have procured a new font of long primer; after which his handsomest work was done. The ink and paper have stood the test of time much better than those of a century later," says Mr. Sibley, in his *Harvard Graduates* (II. 223).

Mr. Foster died of consumption, after a long illness, at the age of thirty-two years. His death took place on September 9, 1681; and he was interred in the Burying-ground at Dorchester, where there is "a pair of handsome Gravestones" (ordered in his will) erected to his memory. They consist of two slate slabs, one a head-stone and the other a foot-stone, of which the former is very elaborately chiselled, containing several allegorical figures all in relief.

Some months before his death Increase Mather apostrophizes Foster in a Latin couplet, and Foster is supposed to reply in another couplet, also in Latin; and these lines appear on the head-stone under the usual inscription. The allusion to his study of the stars, in the first line, is to his astronomical investigations, as he was the author of six almanacs.



THE  
*INGENIOUS*  
 Mathematician & printer  
 M<sup>R</sup> JOHN FOSTER  
 AGED 33 YEARS DYED SEPT<sup>R</sup> 9<sup>M</sup>  
 1681

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APRIL, 1681

LM ASTRA COLIS VIVENS; MORIENS, SUPER AETERA FOSTER  
 SCANDE, PRECOR; COELUM, METIRI DISCE SUPREMUM.  
 J.F. METIOR, ATQUE MEUM EST; EMIT MIHI DIVES, JESUS  
 NEC ENOR QUICQUAM, NISI GRATES, SOLVERE—

- [I. M Living thou studieth the stars; dying mayst thou,  
 Foster, I pray, mount above the skies, and learn to  
 measure the highest heaven.  
 J. F. I measure it, and it is mine; the Lord Jesus has  
 bought it for me; nor am I held to pay aught for  
 it but thanks.]

M<sup>R</sup>  
JOHN FOSTER

ARS ILLI SUA CENSUS ERAT—  
OVID.  
SKILL WAS HIS CASH.

---

[The quotation from Ovid is found in his *Metamorphoses*  
(III. 588).]

The foot-stone now stands back to back with the head-stone, and evidently has been taken from its original position. The reproduction of the inscriptions was made from rubbings, and the size of the original has been reduced three-quarters. Foster's will is in his own handwriting, and together with the inventory of his estate is given below, as follows:—

*Will.*

I John Foster lately of Boston but now residing in Dorchester, finding my body weak & languishing, but my understanding not distempered or impaired doe declare this to be my last Will,

I give my Soul unto that God who gave it me; and my Body to the Earth, to be interred as surviving Relations shall see meet.

That part of my hon.<sup>rd</sup> Father's Estate given to me in his last Will, which as yet I have not received, I give it equally, to my hon.<sup>rd</sup> Mother one part, to my natural Brethren & Sisters, viz. Thankfull, Patience, James, Elisha, Mary, Comfort, & Standfast, each a part; & to my Brother Hopestil, his Children one part, to be divided to each of them equally.

I give my house in Dorchester to my hon.<sup>rd</sup> Mother.

My Will is that what I have in Boston belonging to Printing, may be sold and such Debts as ~~£~~ are due in Boston be therewith paid, my funeral Expences discharged; and 20 or thirty shillings, paid, or reserved to pay for a pair of handsome Gravestones; and that what remains may be disposed of as follows,

I give to the Reverend John Eliot of Roxbury, twenty shillings; and to the Rev.<sup>nd</sup> Increase Mather of Boston, twenty shillings; and to M<sup>r</sup> Cotton Mather twenty shillings

I give the remainder of that Money (if any remain) equally to my hon.<sup>rd</sup> Mother and to my loving sister Baker.

I give also my Medicinal Books to my Sister Thankfull Baker.

I give my Press-bedstead to my Loving Sister Mary Sale.

I give a featherbed & bolster to my brother Elisha.

What may yet remain of mine in Boston or elsewhere, not yet disposed of, as Books, a Clock, &c. I give the one half of them, (or of what money they may [pro]duce) to my hon.<sup>rd</sup> Mother, and the other half to my sister Baker, provided, that the money by them before received, (being the produce of my printing tools) doe not exceed twelve pounds apiece; which if it doe, then I give the aforesaid things, or the produce of them, the one half to my Loving Brother Standfast, and the other to my Cozens, Silence Baker, & ~~Patience~~ Thankfull Brown. Now for the accomplishment ~~of~~ of this my Will I doe intreat & appoint

my hon<sup>d</sup> Mother my Sole Executrix of this my Last Will; And in witness that the above written is my Last Will, I hereunto set my hand & Seal this eighteenth day of July, one thousand six hundred eighty one.

Signed Sealed & Declared  
By the abovementioned  
Testator to be His Last Will  
& Testament, In the  
Presence of us :

JOHN DANFORTH.  
JOSEPH CAPEN.

*John Foster.*



Mr John Danforth made Oath in Court. 6<sup>th</sup> Octob<sup>r</sup> 1681. that ~~this~~ hee was present and did see and heare m<sup>r</sup> Jn<sup>s</sup> Foster Signe Seale & publish the above Instrum<sup>t</sup> to bee his last will and that hee was then of disposing minde to his best understanding Joseph Capen y<sup>e</sup> other witness being then also present. attests.

I: ADDINGTON Circ

mr Joseph Capen made oath that he saw mr John Foster signe seal & declare the above written to be his last Will & Testament, being at the same tyme of a disposing mind, to the best of his apprehension, & that he set to his hand as a witsesse

Sept: 16<sup>th</sup> 1681. Before me

WILLIAM STOUGHTON

[Endorsed]

John Foster his  
Will proved. 8<sup>th</sup>  
— 1681

Recorded.

### *Inventory.*

An Inuentry of the Estate & goods of m<sup>r</sup> John Foster Late of Boston deceased, in dorchester Sept: 9: 81 taken by us whose names be subscribed This 5 octo: 1681

Imprimis To his Apparell wollen Linen &c all at	7- 0-0
++ To money & plate & pockett Watch all at —	8-17-0
++ To a Clock Glasse Gally potts all at —	2- 5-0
++ To his turning tooles Carueing tools playns &c —	1- 0-0
++ To his Cuts & Coollors 15 —	0-15-0
++ To his Gittarue Viall wether glasses —	1- 5-0
++ To pap printing & wast —	0-17-0
++ To his bed and furnytüre all at —	6- 1-0
++ To Lead & woodenjack & pt ironjack —	0-12-0
++ his Book-screw pewtar ertthen ware —	0- 8-0

++	A chest & some lumbar —	0- 6-0
++	To his Bookes all at —	7- 1-6
++	To An House 15 <sup>n</sup> printing prese & lettars [type] 60 <sup>n</sup> —	75- 0-0
++	To a shee goote, '6 —	00- 6-0
++	To debts & patrymony in Reuersion not Knowne	

---

 106-13-6
Made & Taken. the 5<sup>th</sup> of 8<sup>br</sup> 1681

By us =

JOHN DANFORTH

JAMES HUMFREY

TIMOTHY MATHER senior

m<sup>r</sup> Mary Foster Exec<sup>r</sup> made oath in Court. 6<sup>th</sup>

Octob<sup>r</sup> 1681: that this is a just & true  
Inventory of the Estate of her late  
Son m<sup>r</sup> John Foster dece<sup>d</sup> to her best  
knowledge and yt when shee know's  
of more shee will cause it to bee  
added.

Is<sup>t</sup> ADDINGTON C<sup>ty</sup>

[Endorsed]

Jn<sup>r</sup> Foster hisInventory 8<sup>br</sup>

— 1681 —

Recorded.

The "Carueing tools," mentioned in the Inventory, could be no other than engraver's tools; and the "Cuts" without doubt were his engraved blocks. During the night of September 16, 1690, nine years after his death, a printing-office in Boston was burned, which was the one that belonged probably to his lineal, though not immediate, successor in business; and thus, perhaps, disappeared the last vestige of his handicraft with these "Carueing tools."

Remarks were also made during the meeting by Messrs. WINSLOW WARREN, JAMES F. RHODES, ALBERT B. HART, EDWARD STANWOOD, MELVILLE M. BIGELOW, JAMES F. HUNNEWELL, and GRENVILLE H. NORCROSS.

A new serial of the Proceedings, comprising the record of the meetings for October, November, and December, 1904, was on the table for distribution.





*Wallace A. Linn*

1

VALLEY

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

[illegible]





*Wm. L. Rice*

M E M O I R  
OF  
WALBRIDGE A. FIELD, LL.D.  
BY JOHN NOBLE

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THERE is already upon record in the Proceedings of this Society the appropriate and feeling tribute to the memory of Chief Justice Field given at its first meeting after his death, by our associate Judge Barker of the Supreme Judicial Court. So vivid and lifelike is the presentation of the characteristics which made up that striking and forceful personality, and so full and discriminating and just the description of the man and the magistrate, that he seems almost brought in bodily presence before us. It is not for me then, in discharging the duty assigned me, to attempt to add to a delineation so complete and clear, but rather to give merely some brief account of the events of his life, with further detail of date and circumstance.

Walbridge Abner Field, Chief Justice of the Supreme Judicial Court of Massachusetts, died in office on the 15th of July, 1899.

He was born in North Springfield, in the State of Vermont, on the 26th of April, 1833, the son of Abner and Louisa (Griswold) Field.

His Christian name came to him somewhat curiously. Several weeks before his birth his mother dreamed she had a son and they called him Walbridge. The name was an entirely unfamiliar one, unknown in his long ancestry on either side. When the son was born, his father said, "Wife, what was the name we called him in your dream?" The leading of the dream was followed, and a name was given, somewhat as in the Biblical story,—the name mysteriously directed, with that of the father added.

Both parents were of good New England stock, inheritors and representatives of those sturdy qualities, moral and intellectual, coupled with that delicacy and refinement of feeling which go to make up the best of distinctive New England character.

His father was a man in good circumstances, well to do for his time and situation, living comfortably, independently, and well. He had not had the advantages of what is termed a liberal education, but was not without a training that largely supplied its place. He was a man naturally bright and of good parts, developed in the school of practical life; of sound judgment, good sense, and the courage to express his own opinions as well as to form them. Born in Vermont, his whole life was passed in his native State,—then and for years the most homogeneous of the New England States in the character of its population, the unmixed New England stock and type.

At the age of twenty-two he began a long and honorable mercantile life. Though of delicate health for much of his life, he was always active and influential in town affairs. He was also the first postmaster of North Springfield, one of the incorporators of the Windsor County Mutual Fire Insurance Company, of the Springfield Savings Bank, and of the Bank of Black River, and president of the latter for a number of years. In politics originally an old-fashioned Whig and later a Republican, he served as a member of the General Assembly and as a Senator of Windsor County.

He meant that his son should have to the fullest extent those advantages which he perhaps prized more highly from having lacked them himself. He gave him the best education which his opportunities afforded, through schools and academies, finally sending him to college and the law school, furnishing the wherewithal in every stage with ready and generous liberality. He started him on his college course with two thousand dollars,—a large sum for those days,—determined that nothing should interfere with his progress and success. The son feelingly appreciated all that his father had done for him and fully justified the father's hopes. His college course completed, the son with inborn independence and generous heart, when his later circumstances allowed it, gratefully and graciously repaid it; cherishing through his life an abiding

remembrance of the obligation to his father's love and encouragement, which could not be discharged.

Judge Field's mother was a woman of strong character, of unusual native ability, of refinement and tenderness of feeling, well educated and well read; a woman who studied and thought, and wrote ably and gracefully. In the History of Springfield, Vermont, the article "History of North Springfield" was written by her when more than seventy-five years old.

What she was and what she was to him can have no better proof than the affection, devotion, and veneration which he showed her from his very boyhood up to the close of her long and honored life. The closeness and strength of the ties that bound the family together, and the beauty and charm of the home life there, revealed in many ways, are to be felt rather than told.

A man's ancestry to a large extent is a part of himself, and it is always a matter of curious interest to watch the outcroppings of ancestral traits in the descendant in later times and in other circumstances. Judge Field had always a deep interest and a just pride in the various lines of his forebears.

On his father's side he was descended from Thomas, the nephew and heir of William Field of Field's Point, the first of that name in Providence, Rhode Island, who lived there in 1636 and died in 1665. His will was dated May 30, 1665, in which, having no children, he made his nephew his heir. The nephew Thomas was in Providence at the date of the will, and died there August 10, 1717. He took the oath of allegiance in 1667. By his wife, Martha, who died some time after 1708, he had three children. The oldest, Thomas, was born about 1670, in Providence, where he died before October 21, 1752. He married Abigail, daughter of William and Abigail Hopkins. Their second son, Jeremiah, was born sometime before 1706, and died September 2, 1768. He married Abigail, daughter of Richard Waterman, December 27, 1725. Their son James, the fourth of a family of eight children, was born in Providence, July 31, 1738, and died in Vermont. By his first wife, Hannah Stone, he had one child, Pardon, who was born in Cranston, Rhode Island, April 13, 1761, and who married Elizabeth Williams, a lineal descendant of Roger Williams. Their son, Abner, was the fifth of a family of nine children. Abner, the

father of Chief Justice Field, was born at Chester, Vermont, November 28, 1793, and died December 19, 1864.

His wife was Louisa Griswold, to whom he was married February 16, 1832, and Judge Field was the oldest of their four children.<sup>1</sup>

His descent from Roger Williams may be traced as follows :

1. Roger Williams and his wife Mary.
2. Joseph Williams, their son, born December 12, 1643; died August 17, 1724. He married Lydia Olney, the daughter of Thomas, December 17, 1669.
3. James Williams, their son, born September 20, 1680, who married Elizabeth Blackmar, the daughter of James, and who died June 25, 1757.
4. Joseph Williams, their son, born October 24, 1709, who married Lydia, the widow of Ichabod Potter, and died July 16, 1761.
5. Elizabeth Williams, the daughter of Joseph and Lydia, was born July 8, 1758, married to Pardon Field, and died at the age of eighty-two, August 17, 1840. Their fifth child was Abner, the father of Judge Field.

Through his grandmother he could trace his descent from Thomas Olney, James Blackmar, and William Hawkins, the father of Blackmar's wife Mary; and through his grandfather Pardon he was descended from Thomas Harris, Gregory Dexter, John Whipple, Thomas Angell, Thomas Barnes, Hugh Stone, and Peter Busecot, — counting no less than twelve original Rhode Island settlers among his ancestors.<sup>2</sup>

New England, rather than any single State, claims Judge Field. Born in Vermont, where his early life was passed, he was educated mainly in New Hampshire, and his most distinguished life work was done in Massachusetts. In Maine he found what went to make up the happiness of his domestic and home life. As on his father's side he was sprung from the early settlers of Rhode Island, so on his mother's side he goes back to the early settlers of Connecticut.

The old Griswold family of Connecticut finds its ancestry in Sir Humphrey Griswold, of Malvern Hall, England. The

<sup>1</sup> Genealogy of the Fields of Providence, Rhode Island, as traced by Mrs. Harriet A. Brownell, mainly from records and papers in Rhode Island, and printed for private distribution by J. A. & R. A. Keid, Providence, 1878.

<sup>2</sup> The genealogy thus given above was compiled by J. O. Austin, Esq., of Providence, for Judge Field.

first of the name on this side of the water were two brothers, Edward and Matthew, who came over about 1645. Edward settled at Windsor and afterward moved to Killingsworth. He was born in England in 1607, where he was married and where his children were born, except John, born in America, 15 August, 1652. John's second wife was Bathsheba North, who died March 19, 1736. One of the eleven children born of this marriage was Joseph, born September 26, 1690. He married Temperance Lay, December 29, 1714, and they had eight children. The third, John, married Mary Ward. Their son, Daniel, the eighth of a family of twelve children, was the father of Judge Field's mother. He was born at Meriden, Connecticut, December 5, 1762, and died at Springfield, Vermont, August 4, 1836. He married, in January, 1786, Annah Lenthal Ames, of South Farms, Middletown, Connecticut, who was born February 17, 1764, and died June 8, 1826. Both are buried in North Springfield, Vermont.

Here again was a large family, numbering ten; and the youngest, Louisa, was born December 5, 1807, married to Abner Field by Rev. Uzziah C. Burnap, February 16, 1832, and died at North Springfield in 1884.

Both the grandparents of Judge Field were persons of strongly marked character. The grandfather, Daniel Griswold, the first one of the name to appear in Vermont, was a boy of fourteen at the death of his father, who when along in life enlisted under General Putnam at the breaking out of the Revolution, and who died from exposure a few weeks after the battle on Long Island. A healthy, sturdy boy, full of energy and youthful independence, Daniel started out to make his way in the world by himself, with the slender outfit of a single suit of clothes and a pair of shoes lent him by an older sister. At sixteen, undeterred by the fate of his father, he entered the army, drawing as pay ten dollars a month in silver, and served for nearly a year. By economy without meanness, untiring industry, and unflinching determination to succeed, he had laid up, by the time he reached his majority, what then seemed almost a fortune, a thousand dollars. He saw the opening there might be for courage and energy in the wilds of Vermont. He bought his first piece of land there in Springfield, August 24, 1784, — the beginning of those holdings which, before he died, made him one of the largest landowners in that region.

James Chittenden came up from Connecticut, cleared a part of the land, and built a log house on it, where he lived until February, 1790. For one or two seasons Daniel worked with him, bringing his provisions from Connecticut. The difficulties to be encountered and the privations in making this settlement in a new country were so many as nearly to discourage him. At last, doubtful of a success that would satisfy his expectations, he was tempted to sell out and abandon the clearing. But his wife, whom he had married some year and a half after his purchase, "would n't listen to this; she had made up her mind to go to Vermont, — and they went." Starting from Connecticut sometime in 1790, with an ox-team, after a rugged journey of ten days, they reached the clearing and established themselves in the log house. The proposed settlement was an accomplished fact. In three years the log house gave place to a frame house, one of the substantial structures of the last century, which was standing not many years ago and may be to-day. In his new home he prospered.

A thriving farmer in the early days, he became, as the town grew up around him, an able man of business and affairs. Always respected and influential, of integrity and good judgment almost proverbial, his counsel was everywhere in request, and he found himself occupying all sorts of positions of honor and trust among his fellow-men.

In his wife he found a worthy helpmeet. She was of Connecticut stock, the daughter of Anthony Ames and Hannah Eels, and a granddaughter of Lemuel Eels, a minister of the new-light faith, and Hannah North, an English lady. Her father was said to be "a quiet and remarkably good man," and her mother "a very religious woman, perhaps somewhat exacting, who carried out to the letter in her family the spirit of the old Connecticut Blue Laws." The result in the daughter was a woman full of life and fun, of strong character, proud without vanity, energetic and determined, clear-sighted, and strong-willed. The picture of their home life, as it lives still in the memory of the older people and has been affectionately retraced by their descendants, is a most pleasant one, — a well-ordered, busy household, with abundance of innocent, simple pleasures and amusements, good cheer and comfort and happiness,

hospitable and free-handed, with "the latchstring always out, and the table always spread for the guest or the stranger."

Such was Judge Field's ancestry, immediate and remote; and one may perhaps trace in his character, with various shadings and modifications and successive developments, many of the qualities which marked those long and widely diverging lines.

As a boy he was bright and full of life, eager and ambitious, turning to account and making the most of the training he got at home and in the common schools.

As he told his nephew, in after life, one day when he was some dozen years old he took his book into the orchard, and as he was studying, he determined then and there he "would be a scholar," adding modestly that he had fallen far short of that youthful purpose.

In 1846, when thirteen years old, he went to the academy in Perkinsville, a little village four miles from his home, where he remained for a year. The next year he was in the Springfield Wesleyan Seminary, at Springfield, Vermont, — an institution which can reckon among its students at different times many men to-day prominent around Boston at the bar, on the bench, in the pulpit, in journalism, and various other callings. Here he spent three years.

In 1850 he entered the Kimball Union Academy, at Meriden, New Hampshire, from which he was graduated in the summer of 1851. Here he at once took high rank and was the valedictorian of his class. One must be familiar with New England life in the country fully to appreciate what these rural academies were and stood for sixty years or more ago, and to know their influence upon education and the community generally. They were often the centres of the social and intellectual life of the vicinity. They brought together young people from different and frequently widely separated districts, and had the stimulating and liberalizing influence of miniature colleges; perhaps no times were more fondly recalled in after life or were fuller of pleasant memories and associations for the old students than the years spent in them.

In the fall of 1851 he entered Dartmouth College, — a college which, as in Webster's day, has always been peculiarly dear to its graduates, — one of the best types of the college of the



elder day, holding to the old ways and ideas of general liberal development and training. In this wider field he at once came into prominence as a scholar, taking the position which he held throughout, the leader of his class in scholarship. Under the college system of rating he held through his whole course the standing of absolute perfection, — a rank reached by only two other men in the history of the college, Rufus Choate and Professor Putnam. There is still in evidence an annual report made under "an Ordinance of the Trustees" "to the Parent or Guardian" by President Lord, August 1, 1854, giving in detail the record of Judge Field's junior year: not an absence, unexcused or excused, from college, chapel and church, or recitation; and his "scholarship," as determined by recitation and examination, in each the highest mark attainable. In college, while not especially prominent as a club or society man, he was popular and respected, with recognized qualities of leadership and influence. Among other instances of acting as a representative of the college on several occasions, he was a delegate on the student committee to the funeral of Daniel Webster at Marshfield. He was not an athlete in the modern college sense, but was a man of athletic build and strength. He had a decided mechanical capacity, and while in college, or before, he invented a mowing-machine, not unlike those of to-day, and contrived a successful corn-dropper; he was fond of tools, and took care to have good ones and to be well supplied. For a part of his college life he roomed in the Observatory, — somewhat lonesome quarters, perhaps, but it gave him a chance to study astronomy, in which he was much interested, and a practical knowledge of the use and handling of telescopes and other astronomical instruments.

By the long vacation and from the arrangement of studies in the winter, peculiar opportunities were at that time given to such students as desired to teach a term in country schools. He availed himself of this, and, like many other young men, not so much from necessity as from a desire for wider experience and to test his own powers, taught three winters while in college. His first school was in Baltimore, Vermont, a little town, described as "a terrible rough place in winter." It gave him ample opportunity for the purpose and the trial. He had several scholars older and larger than himself, and he "boarded round," — one of the places being a long distance

from the school-house and on a road famous for its drifts, which meant much in Vermont. The experiment was a success. The next winter he taught in a little red school-house, not far from his own home, where the compensation was in keeping with the school-house. In 1854 he taught a winter term of school in Andover, Massachusetts. The Report of the School Committee says: "The school lost none of its former interest, but advanced steadily to a still higher order of excellence. The method of instruction adopted by Mr. Field was eminently thorough and scholarlike. He brought to his work a most ready and complete acquaintance with the subjects he was to teach, and a remarkable power of giving to his pupils by uttered words, by pictured illustration, and by the use of objects, a knowledge of the lesson taught. . . . It is to be regretted that a school so judiciously managed, so effectively and thoroughly instructed, could continue but eleven weeks." With this school ended satisfactorily his work as a school-master.

His college vacations were spent wholly or mainly at home. One of his most strongly marked characteristics was the depth and tenderness of his love for his kith and kin, and his abiding affection for his old home and all its surroundings. And these held with him through his whole life. He was always doing for the rest of the household. The sister next him, and less than two years younger, died when he was about ten. The brother and his other sister, both considerably younger than he, remember him as always thoughtful of them, adding whenever he could to their happiness, always considerate and alive to their interests. His vacations were full, not so much of recreation and rest for himself, as of occupation to give pleasure and help to the others in the old home; and this held true of all his visits in his later life.

He took especial pleasure in all work upon the land. Like old Thomas Fuller, he felt that "to smell to a turf of fresh earth is wholesome for the body."

His father owned a farm of considerable extent, and though he had a tenant to carry it on and relieve him of labor, the son could find scope enough for work and sufficient field for his energy. He found something to do in the fields, in the orchards, in the woods. Now he would be making flower-beds for his mother, now repairing or constructing a sidewalk,

now clearing away or trimming trees, now helping in the haying or the harvesting, now digging a good ditch, now setting out trees. A row of chestnut trees stands to-day as a witness to his foresight. He was never idle, and his work was for others rather than himself.

Thanksgiving rarely or never failed to bring him to the old home and the family gathering; and during the last twenty years of his mother's life, through her widowhood to her death in 1884, the succession of visits was unbroken, unless possibly in a single year.

His attachment for the very land which his father owned for so many years, and a part of which had been in the possession of his grandfather Griswold, was almost a passion. He would never allow any of it to go out of the family name or consent to the sale of a foot of the ancestral acres. It is said he once yielded in the case of a remote pasture, with few associations to endear it, but was relieved and glad when the sale fell through.

He had a keen interest, too, in all that concerned the town of his birth, its people and its life. One of its institutions was the old-fashioned country lyceum, — that agency which did so much for the intellectual entertainment and cultivation as well as the social enjoyment of New England towns sixty or more years ago. In this in his younger days he was one of the best debaters and of the most active workers. He went beyond town lines. To everything connected with Vermont he was always alive. He never slackened in his love for his native State and his pride in it.

The four years of his college life carried him to the age of twenty-two, and in their developing experience meant much to him. Entering well equipped, well provided for, strong and energetic, full of enthusiasm, with his youthful purpose always before him and bent on its accomplishment, he made the most of his college course and graduated with earned and deserved honors. He was at once appointed a tutor of Latin, Greek, and Mathematics, and held this position through the two years 1856 and 1857. His success in that field was marked. There came an offer of a professorship later. He said little of what he did in college, but was ever ready to speak of what the college did for him. He was always an intense Dartmouth man. The Dartmouth spirit is distinctive and alive. Loyal

to the college, proud of her and of the list of famous names upon her roll, her graduates hold together like brothers by blood or Scottish clansmen. Sturdy, aggressive, plucky, independent, they make and will make themselves felt wherever they are, whether it be on the bench, at the bar, in the pulpit, in medicine, in the cabinet, in politics, or in affairs.

On resigning his tutorship, he began the study of law in 1858, in the office of Harvey Jewell, then a prominent lawyer of Boston, at No. 20 Court Street, in the old Tudor Building, low-browed and sombre, which stood at the corner of Court Street and Court Square, hard by the Court House. A law office then, even the most famous, was, in its equipment and with its one or two students, in striking contrast to the offices of to-day.

In 1859, September 28, he entered the Harvard Law School, then under the charge of its three professors, Parker, Parsons, and Washburn, with its old-fashioned courses of lectures. He left the school in 1860.

In January, 1859, he took charge of the professorship of Mathematics at Dartmouth for the spring and summer terms. He then resumed his legal studies, and was admitted to the bar in Suffolk County May 12, 1860, and soon after in the United States Courts for the District of Massachusetts, and began the active practice of his profession with Mr. Jewell.

In 1863 came one of those trying occasions which sometimes come in a young man's life, when his decision at the parting of the ways means much to him. It sometimes means much to the world. It was the proposal to make him professor of Mathematics in his Alma Mater. His decision and the grounds for it appear in a letter to his friend Professor Patterson, declining to be considered a candidate, and are so characteristic that some extracts from the letter are here given:—

“And so the whole question with me is, ‘Do I desire to abandon the law and become a professor of Mathematics in Dartmouth College’ . . . Such a professorship has to me a great many attractions. I like mathematical studies and teaching;—the position confers considerable solid respectability and honor, more than any other I can obtain, and the salary is quite sufficient for my wants. If my character, conduct, and scholarship should prove reasonably acceptable, I see that I could soon have a house, a wife, good social position, and some leisure with desirable opportunities for study. These things are not certain but probable.

I might perhaps stipulate for six months or a year to go to Europe in, and then should become (D. V.) one of the better class of citizens of New Hampshire. In the law few of these things are now to me reasonably certain; if attained at all they lie many years ahead, and the chances are perhaps against my ever attaining them. I do not altogether like the practice of the law, and have a distinct knowledge of the kind and amount of drudgery I must bear in it. Yet the position of a good lawyer in large practice in this city is an enviable one, and even an humbler place than that in the profession has many consolations. I do not wish to take counsel immoderately of my hopes or my fears. I have carefully considered whether on the whole I desire to abandon law for even a professorship of Mathematics, and have made up my mind that I will take the risks of the law. I may repent it to-morrow, but I sing the law to-night. I am resolved to go on in it, and when I have lost heart and hope, I will write you frankly and ask for what I want in place of it."

Later he was also offered a professorship in Washington University, St. Louis, which he declined.

He advanced rapidly in his profession, and also found time to take some part creditably in politics and city affairs. He was a member of the School Committee in 1863 and 1864. There were then on the Board Rev. Drs. Lothrop, Gannett, Burroughs, and Coolidge, Drs. Homans, Hayward, Shurtleff, Coale, LeBaron Russell, and A. A. Gould, Henry W. Haynes, Russell Sturgis, Jr., and F. H. Underwood, and several well-known lawyers, to mention only a few of the men of prominence.

In 1865, 1866, and 1867 he served in the Common Council, where he was associated with Alexander Wadsworth, William W. Warren, Benjamin F. Stevens, Francis W. Palfrey, Clement Willis, John C. Haynes, Solomon B. Stebbins, Benjamin Dean, Lewis Rice, Henry D. Hyde, and many other well-known citizens.

He was for a time a Trustee of the City Hospital, and was a delegate to attend the funeral of President Abraham Lincoln. In July, 1865, he was appointed Assistant United States District Attorney for Massachusetts under Richard H. Dana, and continued as such with him and his successor, George S. Hillard, until 1869. He then became, by appointment of President Grant, Assistant Attorney-General of the United States, under Judge Hoar, then Attorney-General, with whom he continued till August, 1870. On April 30, 1869, he was delegated by

President Grant "to perform the duties of Attorney-General of the United States during the temporary absence of Hon. E. R. Hoar." General Bristow has spoken of him as the ablest Assistant Attorney-General he had ever known.

Upon his resignation as Assistant Attorney-General in 1870, he became a partner in the law firm of Jewell, Gaston, & Field, with offices at 5 Tremont Street. In 1875 Mr. Gaston, having been elected Governor, retired from the firm, and, Edward O. Shepard being admitted, the firm became Jewell, Field, & Shepard. Judge Field continued in the active practice of his profession and with distinguished success until his appointment to the bench. His practice was largely in the Supreme Court. The firm were counsel for several large corporations, and the character of their general business was important. He appeared before the court oftener than before juries, and in cases of the former sort was perhaps at his best. His character and temperament, however, gave him power before juries.

He never aimed at display or so-called oratory. But he was always clear and strong, and could become eloquent, in the best sense of the term, from the force and point of his statement, the strength of his own convictions in the right of his case, and his determination to do it the fullest justice. His arguments before the court *in banc* upon questions of law were always especially able and effective.

While he was at the bar he took much interest in politics, municipal, State, and national. He was delegate to conventions, a chairman of the Committee on Resolutions at a State convention, and wherever and however serving, was always efficient. In 1876 he was the Republican candidate for Congress from the Third District. His election was contested. The question was a narrow and peculiar one. He received 9,295 votes upon the regular ballot and 25 votes in the same district upon the Prohibition ticket, which described the candidate as of the Fourth District. It was before the day of the Australian ballot and election commissioners. His opponent, Benjamin Dean, the Democratic candidate, received 9,315 votes. Rev. Dr. Miner, Chairman of the Prohibition Committee, testified before the Board of Aldermen, as canvassers of the election returns, that the ballots of the party he represented were wrongly printed and were intended for Walbridge A. Field's candidacy. The aldermen made return to the Secretary of

State in favor of the Republican candidate, and he received the certificate of election. Mr. Dean contested the case before the United States House of Representatives, which was then Democratic, and was given the seat, March 28, 1878.

In 1878 Judge Field and Mr. Dean were again the candidates for the House of Representatives, and the election resulted in favor of Judge Field by a majority of 441. At the expiration of his term in Congress he declined to be a candidate for re-election.

While in the thick of the contest as to the disputed seat, it is understood he was offered a place on the bench of the Supreme Court by Governor Rice, but feeling that he owed a duty to his constituents, and that to retire might result in the loss of the district to his party, he declined to have his name considered, however agreeable and honorable the position.

His service in Congress was brief, but long enough to give him prominence. He was a strong party man, but his fair-mindedness, his sense of justice public and private, his desire to do right everywhere, his judicial temperament, were as conspicuous here as elsewhere, and were recognized. He cared not so much for filling the columns of the Congressional Record as for looking out for the public welfare by vote, by voice, and by service. His career in Congress, in a field perhaps not wholly congenial, was creditable to himself and the State.

A man's home life hardly belongs to the dry pages of a memoir like this. It is enough to say that all those qualities which so endeared Judge Field to the wide and ever widening body of friends found here full scope and play,—his gentleness, warmth of feeling, kindness, and courtesy, and his power of drawing all to him, so that even the little children of his street watched for his coming and welcomed him as if of their own household. October 4, 1869, he was married to Eliza Ellen McLoon, daughter of William and Hannah (Keating) McLoon, of Rockland, Maine. She died March 8, 1877, leaving two children, Eleanor Louise, born January 1, 1871, and Elizabeth Lenthal, born February 6, 1873. October 31, 1882, he was married to Frances Eaton Farwell, daughter of Hon. Nathan Allen and Jerusha (Thomas) Farwell, of Rockland, who survives him.

Judge Field was for a long time connected with the South Congregational Church, under the charge of Rev. Dr. Edward

Everett Hale, and a member of its Standing Committee. Of his services here it has been said of him that his legal knowledge, his good common sense, his practical wisdom as a man of affairs, his sound judgment, his delicate moral sense, and his warm interest in the church made him an invaluable member.

He was a member of many societies and organizations; among them the Vermont Association of Boston, the Dartmouth Club, the Union Club, the University Club, the Law Club, the Art Club, the Saturday Club, so noted for the literary standing and distinction of its members, and of which he was at one time the President. He was interested and active in the general association of the Phi Beta Kappa Society, and one of its senators; in the Alumni Association of Dartmouth College and its President; in the New England Historic Genealogical Society, and in the Massachusetts Historical Society.

He was chosen a Resident Member of our Society April 12, 1894. His official duties and engagements prevented him from being a constant or even a frequent attendant of its meetings. The like reason kept him from writing any papers or communications, but when present he was ready to take part in its discussions. At the February meeting in 1895 he spoke upon the death of Judge Hoar.

The degree of LL.D. was conferred upon him by Harvard University in 1886, and by Dartmouth College in 1888.

It is as a member of the highest court of the Commonwealth that Judge Field will be most widely known and lastingly remembered. The fame of a lawyer is fleeting; of the most illustrious names only the shadow is left in later years; — with a judge it is otherwise, and this may be one of the compensations for laborious days and scant remuneration.

Judge Field was appointed an Associate Justice of the Supreme Judicial Court on February 21, 1881, upon the resignation of Seth Ames, and took his seat two days later. On the 4th of September, 1890, he was appointed Chief Justice upon the resignation of Marcus Morton.

Certain qualities have often been set down as essential to a good *nisi prius* judge or a justice sitting singly. A few among them, — adequate learning, legal instinct, familiarity with decisions, mastery of pleading, practice and procedure, grip of principles, knowledge of human nature and ability to read



men, power to grasp, sift, and balance evidence, coolness and courtesy, patience and sound common sense, clearness and accuracy of statement, the capacity to hold well in hand a trial or a hearing, good judgment, and the mastership of the situation, whatever it may be. Of these Judge Field had many, and also the superadded qualification of a successful Chief Justice, — executive and administrative ability.

The general recognition by the public of the fitness of each appointment was most striking. And this was especially so in the case of the Chief Justiceship, when among the names mentioned in connection with the place were those of men of remarkable and unusual qualifications and most brilliant reputation, — leaders of the bar of the highest eminence, and a fellow member of the bench, the brilliant lawyer and the finished orator, the elegant scholar, the distinguished soldier, the chivalrous and accomplished gentleman, — and when general acquiescence in the result was something hardly to have been expected. It was certainly no slight tribute to the man.

Judge Field's judicial life lies recorded between the 130th volume of the Massachusetts Reports, which announces his appointment to the bench, and the 174th volume, which announces his death; and his judicial work between the 131st and 173d volumes.

His first opinion appears in vol. 131, April 11, 1881, dealing with a question of contributory negligence; and his last in vol. 173, in 1899, involving a point of practice and his sole opinion in the volume.

The number of opinions written by him while upon the bench is very nearly eight hundred; exclusive of any *per curiam* opinions, a considerable part of which he would naturally write, and exclusive of any opinions rendered in response to questions submitted by other branches of the government. It would be impossible within any due limits here to attempt any analysis of these eight hundred, or even to enumerate the subjects included in them. There are few, perhaps, which may be called epoch-making opinions, and the occasions for such are naturally infrequent. They all bring out the quickness and clearness with which he seized upon the points of a case, his accuracy and precision of statement, the founding and placing the decision upon fundamental grounds, and making it square with the great principles of

justice. He was a laborious worker and writer. While he could frame an order or a decree or a rule off-hand, as exigency required, accurately and felicitously, he was never satisfied with an opinion he had written, but subjected it to revision and emendation, till often he had written and rewritten it several times. As he once said, it was never safe until it was out of his hands. This constant revision was not for the purpose of changing the result or varying the grounds, but to modify the expression or statement, so as to make sure that there was no loop-hole for misunderstanding, no possibility of misconstruction, and that it embodied the precise meaning he intended to convey. Hence he found his place hard and wearing beyond what it would otherwise have been.

The opinions cover a great variety of subjects and points, and illustrate the number and range of the matters coming before the court of last resort, and the complexity and importance of the questions requiring its decisions. New questions or new phases of old questions are constantly coming up. Certain fundamental principles of law may be firmly established, but their application to new and ever-varying conditions growing out of social and economic changes, new enterprises, new agencies, often present difficulties not easily solved. It is often easier to say what the law should be than what it is. Over and beyond profound learning the legal instinct is necessary. However exacting the labor devolving upon any judge may be, the strain upon any member of an appellate court is intense and almost unbroken.

Judge Field's judicial life is written enduringly in those more than forty volumes of the Massachusetts Reports, and it is enough to say here that he well sustained the character and standing that has always belonged to the judiciary of this Commonwealth, and fills an honorable place in the long line of illustrious names that grace and dignify its highest tribunal.

During his administration as Chief Justice the Supreme Court removed from its old quarters in the Court House on Court Street and was installed in the new Court House in Pemberton Square. Many of the details of arrangement had been made under his immediate supervision, and much of the work of settling down and establishing it in its new domains devolved on him.

He was always interested in historical matters, and this appears in many of his written decisions. While Chief Justice he found much satisfaction in collecting and preserving memorials, not only of his predecessors in office, but of the many justices who had sat upon the bench of the court from the earliest times down to his own day, and the eminent lawyers who had practised at its Bar. A result of his efforts appears in an extensive collection of autographs, likenesses, and various memorials of those worthies of the elder and the later day. These find a fitting abiding-place in one of the consultation rooms, which is fitted up with the solid old furniture that belonged to its former lobby. The work which he happily began and started an interest in, has been since kept up.

For a long time before his death he had been in failing health, and as time went on his suffering was often intense. But he gave no outward sign of the struggle, either in manner or expression, and without flinching held on serenely with heroic fortitude, asking and taking no exemption.

In January, 1899, his physicians counselled a complete rest from his official duties. When he hesitated and shrank from acceding to their advice, in his fear of causing a delay or interruption in the work of the court, the Bar Association conveyed to him most gracefully a unanimous vote, asking him to listen to that advice and take the needed rest. His brethren on the bench gave every assistance within their power and whatever relief was possible. He had the heroic temper, the feeling of the soldier that he could not leave his post. On the evening of the 15th of July the end came, and he died, — the tenth Chief Justice of the court to die in office.

His funeral was at the South Congregational Church in Exeter Street. The service was conducted by Rev. Dr. Hale, and the pallbearers were President William J. Tucker, of Dartmouth College, Justice Gray, of the Supreme Court of the United States, Judge Holmes, of the Supreme Court of Massachusetts, ex-Governor Brackett, by whom he was appointed Chief Justice, Judge Sherman, of the Superior Court, Charles Francis Adams, and Richard Olney. The church was filled, though it was the broken period of midsummer. As was said by a leading journal, —

“ Nothing could have more clearly evidenced the breadth and depth of the community's respect and esteem for the late Chief Justice than the congregation drawn from almost every rank of life, which assembled at the church to do honor to his memory. Not only were eminent jurists and members of leading bar associations present, but there were also in attendance men of all professions, callings, and occupations. It was a singularly scholarly gathering and a notable one, and those who composed it came not from Boston and Massachusetts alone, but from most of the States of New England.”

The Commonwealth was represented by the Governor and Lieutenant-Governor, and the City of Boston by its Mayor and other officers; there were the judges of all the courts, leading lawyers of the city and the whole Commonwealth, delegates from the numerous societies and organizations with which he was connected, officials of the Church and of the State, and citizens of every class. The service, simple as he himself would have desired, was touching and solemn from the depth of feeling and affection manifested everywhere in the large congregation.

The public memorial tributes were fittingly closed by the meeting of the bar of the Commonwealth in November. In the court room from whose bench he had himself so feelingly and appropriately responded to the resolutions upon the death of Judge Hoar and of his late associate Judge Devens, were gathered the leading lawyers, not only of Boston, but from every part of the State, and the younger men who came with a peculiar feeling of love and veneration of his memory. The words which were spoken were eloquent, not only in themselves, but even more in the depth of feeling which underlay them all. The address of Attorney-General Knowlton, the resolutions adopted by the bar, and the response of the court are entered upon the records of the court. The proceedings are set out in full in volume 174 of the Massachusetts Reports. Perhaps a single extract may be taken from the resolutions as a brief summary of some of the leading characteristics of the Chief Justice as shown in his official career, in the judgment of the bar, though the whole would be required to give a just and adequate appreciation : —

“ His interests and habits were scholarly. His reading was wide and his knowledge deep and thorough. His learning was accurate. His mental equipment was mathematical and practical rather than meta-

physical and theoretical. He dealt with the concrete rather than the abstract. No subject of human knowledge was too great for his comprehension, no distinction too small to escape his attention. Untiringly diligent, his retentive memory preserved the fruits of a wise industry. His mind was well ordered. It was too well balanced for exaggeration. Open and candid in all his methods, he was quick to detect any subtlety. For him sophistry had no attraction. He had in a remarkable degree that indispensable attribute of a great judge, common sense, which has been aptly defined by one of his predecessors in his great office as an 'instinctive knowledge of the true relation of things.'

"Ample, ready, and well digested learning, common sense, power, accuracy of perception, discriminating analysis, skill to apply old principles to new cases, impartiality, charity, patience, moderation, industry, courtesy, integrity, and public spirit have ever characterized our judiciary, but Chief Justice Field had all these qualities, with manly modesty, sweetness of temper, pure-mindedness, gentleness of heart, and beauty of character, in rare and perfect combination."

The words of the Attorney-General were full of warm and reverent affection, and brought out eloquently and forcibly the life and character of Judge Field. Chief Justice Holmes's response, speaking in the name of the court but with his own personality shaping the whole, was a most impressive and affecting tribute to the memory of his predecessor. The delicate discrimination, the keen appreciation, the warmth of affection, and the intensity of feeling running through it all, make any selection from it a break in its impressiveness.

How the community regarded Chief Justice Field, its high estimation of him as a man and as a magistrate, the confidence reposed in him, the love and admiration everywhere felt, and the sense of loss to it in his death, come out with singular force in the comments of the press, in the proceedings of societies, in the expression of men of all sorts and conditions as well as in those of his near associates and friends. There is room only for the merest reference to them here.

Any attempted analysis of a man's characteristics is often on the one hand cold and hard and dry, or on the other partial and vague or indiscriminate praise. Its results may be dependent on the point of view, the occasion, the relation. When, however, the conclusions are concurrent, the points sharply defined, the final estimate unvarying, such characterization carries conviction of its accuracy and justice.

In the case of Judge Field the qualities dwelt upon are

an all-round development of character, intellectual strength, soundness of judgment, excellent sense, ripe scholarship, breadth of learning, — general as well as legal, — a mind of extreme quickness of perception, fertility of suggestion, comprehensive, absorbent, tenacious; of wonderful keenness and activity, trained and developed to a remarkable degree.

All recount his devotion to duty, his regard for public interests, his intense desire to do absolute justice and the thing which he believed to be right. They speak of his untiring diligence, his evenness of temper and sweetness of disposition, a patience which seemed exhaustless, a fine sense of honor, the courage of his convictions, and his unswerving independence, his absolute integrity. He was a man of liberal views, elegant tastes, free-handed, and generous. He was thoroughly democratic in all his feelings and ways, his regard for the rights of others scrupulous and unvarying, and his honesty of purpose everywhere apparent. He had a keen sense of humor, enjoyed a bright remark or a good joke, and was himself ready at either, with a faculty for putting a thing sharply and concretely in old New England fashion. He had the utmost kindness of heart; sensitive himself, he was regardful of the feelings of others. Quick and keen of apprehension as he was, if he was ever impatient of dulness he never showed it. He had, perhaps, a touch of imperiousness in his natural disposition, — which he was conscious of and perhaps proud of as his by right of inheritance, — but it was always held in check, and seldom, if ever, manifested. He was courteous alike to all, and in bearing and instincts in the best sense a gentleman. Such, without individualizing them, were the judgments passed upon him.

The resolutions adopted by the Curtis Club conclude: "He represented the best product of New England life; a just and able magistrate; a public-spirited and unselfish citizen; a true man; in all the relations of strength and tenderness, a life sweetened and adorned by a rare modesty which seemed to conceal from himself the virtues and ability which were apparent to all other eyes."

At a meeting of the Association of the Alumni of Dartmouth College resolutions were presented by Judge Richardson, a fellow-student of his in college, later a trustee of his Alma Mater, and a lifelong friend, in the course of which it was said: —

"It has been the happy lot of but few men to have been given in such felicitous union so many very great qualities, with so many lovable and charming traits of person in the affairs of friendship and private life. To splendid natural intellectual power, cultivated with untiring industry, improved by great learning, and adorned by brilliant scholarship, were joined a fine moral sense, generous sentiments, kindness of heart, and all those qualities which give to friendship and society their enjoyment and charm. He was absolutely truthful; he had perfect integrity, a vigorous sense and love of justice, which secured and held the confidence of men in his great office, and withal a sweetness of temper, an innate kindness, a regard for others, and a gentleness which won the affection of those who had the happiness to know him more intimately; and over all, illumining all, was the radiance of an absolutely pure personal moral character."

But the bench, the bar, close friends and associates, the press, and the general public were not alone in paying tribute to his memory. The Church bore witness to its appreciation of that element of character, dwelt upon and felt by all, but which had for it an especial appeal.

At the funeral service the Rev. Dr. Hale referred to Judge Field's decisions as said to bear always on the eternal principles of things and to be based on the eternal principles of law and justice, and after quoting from the scriptural account of the Judges of Israel, said of the Chief Justice: "Judges are those to whom the word of God has come. Judge Field knew the word of God, and heard the voice of God, and knew how to make it a part of his daily life."

What had been said of another was not unfitly applied to the Chief Justice: "When death transplanted him to his place in the Garden of the Lord, he found little that was perishable to prune away."

The Rev. Dr. Gordon wrote of him: "He was sent forth with the measuring rod of righteousness in his hand; in the strength of the eternal righteousness he used his high instrument; he was ever in sympathy with the Supreme purpose."

And the estimate of many others, varying in the expression, might be summed up in the words of that brief but wonderfully complete account given of one of old: he "walked with God: and he was not; for God took him."

## FEBRUARY MEETING, 1905.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M. In the absence of the President, the senior Vice-President presided.

The record of the January meeting was read and approved ; and reports were presented by the Corresponding Secretary and the Librarian. Among the gifts to the Library was the original manuscript Diary of Lieutenant Dudley Bradstreet, of Groton, kept at the Siege of Louisbourg in 1745, given by Miss Sarah C. Kemp, of Brookline. It has been on deposit for the last eight years.

The VICE-PRESIDENT said : —

I wish to call the attention of members to a new portrait of Mr. George Livermore which was hung in this room yesterday. It takes the place of a large photograph, from which it was copied, that came into the possession of the Society at the same time as the gift of the Dowse Library, on July 30, 1856. We are largely indebted to Mr. Livermore for this valuable collection of books and for the furnishings of this room, as well as a handsome fund to be used for the benefit of the Society, for it was solely through him that Mr. Dowse was induced to make his munificent gift. Mr. Livermore was a close student of American history, and in many ways was an indefatigable worker in the interest of the Society and its objects. He was chosen a member on November 22, 1849, and died on August 30, 1865 ; and to the present members he is a tradition and not a memory, there being only four who were connected with the Society at the time of his death.

As a coincidence it may be worthy of record that since the last meeting Mr. Goodspeed, the bookseller, has given me a note written by Mr. Livermore to Mr. Deane, informing him of the death of Mr. Dowse. It was found in a book which presumably belonged to Mr. Deane and was sold with his library. The note reads as follows : —



[November 4, 1856.]

DEAR DEANE,—Our good old friend, Mr. Dowse, is dead. He died soon after I left him this morning. I am going to Cambridge to see about arranging for the funeral.

Y<sup>r</sup>s ever,

G. L.

[Addressed]

Charles Deane, Esq.,  
Waterston, Deane & Co.,  
Federal Street,  
Boston.

Together with this note was saved a printed notice of the Historical Society, requesting the members to attend the funeral of Mr. Dowse, from his late residence in Cambridgeport, on Thursday, November 6, at 12 o'clock, M.

Colonel WILLIAM R. LIVERMORE spoke in substance as follows:—

Mr. President,—Mr. Livermore's sons feel deeply the kind compliment that the Society has paid to his memory by placing his portrait here in its halls, which were the nearest to his heart of all those centres around which the galaxy of illustrious and earnest men of his day had their assemblies. He loved its rooms, not only for the sympathy he felt with its individual members, but because he recognized that it was around such foci that all great movements in the history of civilization took their origin.

The men who clustered here have been compared with those who attended the receptions of Aspasia, and Mr. Livermore believed that its hundred members became a hundred times a hundred working men in virtue of this Society. The spark that was lighted at this hearth and is still burning warmly if not ostentatiously has spread from one end of the country to the other, and its influence is now felt in every corner of the earth.

Mr. Livermore especially encouraged the social meetings of the Society, because he believed that it was at the discussions which followed the reading of the papers that suggestions were thrown out which led to the propagation of ideas,—that it was this intercourse which enabled each member to take up the work where another left it and help him to prosecute it. But it was especially the formation of high standards that made

these societies so interesting to Mr. Livermore. He tried to imbibe those traits of character which he admired in the older members, and his gentle influence helped to inspire the younger members of the Society with his views of life.

But behind all this gentle influence those who knew him well, recognized the indomitable will which enabled him to hold up his high standard to his friends whenever he thought they were too much absorbed in literature or in the rude bustle of political life. He believed that the mission and duty of New England was not only to enlighten America and make it respected abroad, but especially to create and infuse into it a high national character for integrity and for a broad and universal interest in humanity, to uphold it against the slavery of the South and the commercialism of the North,—such principles as those that we have seen so boldly advocated by our lamented Senator Hoar.

While Mr. Livermore never wished to hold a political office, it is hard to estimate the extent of his influence when the representatives of all the old parties met at his house fifty years ago and discussed the formation of the new party. Throughout the Civil War his influence tended to calm the fury of some and to stimulate the political activity of others, and when the end came his own soon followed, mainly from the nervous strain which reached its climax when the assassination of President Lincoln threatened to throw the country into another great convulsion.

Mr. Livermore was a merchant because he believed that it was the first duty of the American citizen to contribute in some way to the commercial fabric on which the nation was founded. But he regarded trade as the means and not the end, still less as the master. He took for his model William Roscoe, of Liverpool, a man with whom literature was the end and commerce the means. It would be a pleasure to him to know that the Society has placed his picture by the side of Roscoe's bust and those of his good friends, Winthrop the distinguished President of the Society, the tender, sympathetic and brilliant Prescott, and the eloquent and classical Everett.

It would be out of place for me now to refer to my father's work. It has been described by his eminent associates at former meetings, and I would not trust myself to speak of it

for fear that my estimate might be colored by that love and devotion which he inspired in his children.

While renewing my thanks to the Society, I wish to express my appreciation of the patience and genius of the artist, Mr. Carroll Beckwith, who from photographs and descriptions has been so successful in representing his subject as he would appear at the meetings of this Society.

I said that Mr. Livermore believed that social meetings were essential to the good work of the Society. He was willing to avail himself of any proper means to encourage them. In June, 1856, it was the odor and the new-made reputation of the Cambridge strawberry. This was the first meeting of the Society I had the honor of attending, although then (in 1856) I was not a Resident Member. Dr. Deane, in his remarks at the meeting of the Society following my father's death, says that it was the account of this meeting, and of the men who were present there, that suggested to Mr. Dowse the idea of offering his library to the Society, and I wish to take this opportunity to express my gratitude to Mr. Dowse for his generosity, which has suggested to this Society the placing of this portrait of my father in the spot where of all others he would prefer to have it.

M. Ernest Lavissee, of Paris, France, was elected an Honorary Member; Mr. Don Gleason Hill, of Dedham, a Resident Member; and James Schouler, LL.D., of Intervale, New Hampshire, a Corresponding Member.

Rev. Dr. EDMUND F. SLAFTER read the following paper:—

*The Book of Sports.*

After a careful examination of the principal histories of England and the histories of the Church of England, I find no accurate, exact, and complete statement of what really constitutes the Book of Sports.

It will be my purpose in this paper to give a description, as clear, definite, and comprehensive as I am able, of this somewhat remarkable publication.

In the year 1617 James I. made a visit to his native Scotland. A Royal Progress at that time was attended with no little circumstance. The king was accompanied by a brilliant and imposing cavalcade. The people were gathered in masses at

different points to catch a glimpse of their sovereign. Sometimes petitions were presented asking for special favors or for redress of wrongs. On this occasion the laboring class, those who worked for their daily bread, petitioned the king, as he passed through Lancashire, to grant them liberty for recreation on Sundays. Anterior to this, in the reigns of Elizabeth, Mary, Edward VI., Henry VIII., and earlier, recreations and entertainments on Sunday were common and general throughout the kingdom. The Reformation, which had then been in progress in England not far from eighty years, brought a change of sentiment and practice. The thoughts of men under its influence were given less to outward forms and ceremonies and more to self-inspection and the workings of the mind, the conscience, and the heart. "Know thou thyself" might properly be said to be the motto of the English Protestant. This introversion doubtless sometimes led them into errors and excesses. They modelled their conduct and educated their consciences with extraordinary strictness after the principles of the Jewish theocracy as delineated in the Old Testament. There had consequently grown up, in the time of James I., a party in the Church of England called Puritans; they were sometimes denominated Precisionists. They adopted a standard for their conduct which they regarded as absolutely faultless, and they demanded that all others should conform to it to the very letter. They were austere and intensely intolerant, approaching even to bigotry. They had, nevertheless, many shining virtues. They were devout, warm-hearted, sincere, spiritually minded, and in fact constituted the most distinctly religious class at that time in the Church of England. They had become numerous and influential, and consequently the administration of local affairs was almost entirely under their influence and control.

They especially insisted that the Lord's Day, commonly called Sunday, should be observed absolutely according to the letter of the fourth commandment in the Jewish decalogue. Sheriffs, bailiffs, and justices were eager to arraign delinquents, and infractions of the Mosaic law were sought out and promptly punished.

In answer to the petition of the common people, to which we have referred, the class who earned their bread by labor six days in the week and had no opportunity for recreation,

James I. issued a temporary proclamation to the petitioners in Lancashire, and the next year he issued to all his subjects throughout the kingdom what he called a "Declaration" granting to them under specified conditions the privilege of engaging in certain games of recreation and entertainment on Sunday.<sup>1</sup>

The class of games or sports thus allowed was limited, and none of them could be engaged in on that day unless they were similar in character to six distinctly named by the king.

The first mentioned in the royal manifesto was Dancing, in which both men and women participated. It was a very simple entertainment, in which the movements of the body were determined by precise and exact rules, and was generally accompanied and regulated by some kind of music, and was therefore necessarily conducted with decorum. The possible accessories in the entertainment were almost infinite. On great occasions, in royal palaces and baronial halls, clad in sumptuous dresses, of rare fabrics, in brilliant coloring, none could engage in England, except those who belonged to the opulent class, and who could well bear the excessive expense of a gaudy, spectacular entertainment. But the proclamation of James I. was intended exclusively for the laboring class. The dance allowed by the proclamation was therefore of the simplest kind, and the plain folk engaged in it in their usual Sunday apparel, requiring neither adornment nor extra expense.

The second Sunday entertainment allowed by the proclamation was Archery. This was practised under two forms, the long bow and the cross-bow. The former consisted of a rod of elastic wood carefully and delicately bent in a slight degree, with a cord attached at each end. This the archer drew back, and by the force of the return of the elastic rod the arrow was driven with great force, and by the skilful with great accuracy. The experienced archer generally aspired to the use of the long bow, as it bore testimony more distinctly to his superior attainment in the art. The cross-

<sup>1</sup> *Vide* The Kings' Majesties Declaration to his Subjects concerning Lawful Sports to be Used. Imprinted at London by Robert Barker, Printer to the King's most Excellent Majestey; and by the Assigns of John Bill, MDCXXXIII.

This is called a "Book." But it is far from a bulky one. It consists of less than three pages of the size of our Proceedings.

bow was less difficult in its use. The elastic rod was attached to a stock which controlled largely the direction of the arrow. It is supposed by some to have been the antitype or forerunner of our modern musket. Its use required very little strength, and a less degree of skill and experience than the long bow. Both were doubtless used in the Sunday games.

The third specification in the king's proclamation was Leaping and Vaulting. These were simple competitive exercises. The winner in the former made the greatest distance on a horizontal line, the latter the greatest altitude without regard to distance. This diversion, at once simple and attractive, has apparently been common at all times, among all classes of people, primitive or modern, civilized or savage.

The fourth entertainment allowed on Sunday was May Games. These were such diversions as were common on the first day of May.<sup>1</sup> This day in England, from a very early period, was set apart and made a popular and entertaining festival. It was emphatically the people's day. The young men and the young women went together to the forest, and selected a May-pole which was brought home with imposing ceremony and planted in a suitable place chosen for the purpose. It was profusely decorated with garlands of wild-flowers and green boughs, and a flag covered over with royal emblems was usually seen floating from the top. An old writer informs us that this May-pole "being placed in a convenient part of the village stands there, as it were consecrated to the Goddess of Flowers, without the least violation being offered to it in the whole circle of the year." Around this May-pole the common people were permitted by the royal proclamation to engage on Sunday in dances or such other amusements as were usual on the May-day festival.

The next privilege granted by the proclamation was the use of Whitsun Ales. This was one of the Church ales of three hundred years ago. It was customary at that period, more or less generally, for the churchwardens to have brewed a generous quantity of ale, to be sold at the Whitsun

<sup>1</sup> "In the month of May, the citizens of London of all estates lightly in every parish or sometimes in two or three parishes joining together, had their several mayings, and did fetch in Maypoles, with divers warlike shows, with good archers, morris dancers, and other devices, for pastime all the day long, and toward evening they had stage plays and bonfires in the Streets." *Vide Stow's Survey of London*, 1598, ed. 1842, p. 38.

festivals, which took place on the week following Whitsunday. The income derived from these sales was appropriated to the support and repairs of the church. It was not unlike, in principle, to the church fairs or sales organized and conducted by ladies in many of our parishes at the present day.

The last entertainment on Sunday granted by the king was the Morris Dance. This, as the name implies, was a Moorish dance, the word Morris being derived from Morisco, signifying a Moor. It was performed by a single person, and usually accompanied by castanets with which the dancer marked the time. It was a favorite entertainment among the Moors and Spaniards, and in the seventeenth century was exceedingly popular in England.

It will be observed that the foregoing games or sports allowed on Sunday were all of them athletic in their character, and were well suited to develop physical energy and muscular strength; and the king himself in his proclamation expresses the belief that these exercises would make the bodies of the common people "more able for war" whenever he or his successors should have occasion to use them.

In addition to these athletic games the proclamation provided that women should be permitted on Sunday to decorate the churches with rushes, agreeably to their ancient custom.<sup>1</sup>

It was the practice in England, long before the Church was severed from the dominion of Rome by Henry VIII., to decorate the churches on Sundays with rushes, and probably with such green boughs and flowers as could be obtained in the immediate neighborhood. Harmless, innocent, and appropriate as this custom was, the Puritans in the Church of England did not give it their approbation. They associated with it a secular and worldly element unsuited to the sobriety and solemnity of a place of Christian worship. The restoration

<sup>1</sup> The exact words of the Declaration are that "women have Leave to carry Rushes to Church for the decorating of it according to their old custom."

It was customary formerly to "strew floors with rushes," perhaps for ornament or cleanliness. This was probably what the women were permitted to do for the decoration of churches on Sunday. There was a great variety of rushes. The *Butomus umbellatus* bears an umbel of rosy blossoms. From this may have come the now almost universal custom of decorating churches with flowers on Sundays. In New England the custom is modern. The writer well remembers when it was rare and was looked upon by some with disapprobation.

of this practice cannot be regarded as a mark of the king's want of good taste.

The preceding enumeration includes the games or entertainments which were permitted on Sunday, but four others were designated in the proclamation which were strictly and absolutely forbidden.

The first two, Bear baiting and Bull baiting, were similar in character. Both had been popular in England as early as the reign of Henry II., and had been practised down through that of Henry VIII., Edward VI., Mary, Elizabeth, James,<sup>1</sup> and in fact continued to the time of Queen Anne. Cruelty of a brutal character was the leading feature of these exhibitions. The harmless animals were first chained and securely fastened, and then English bull-dogs, bred and trained for the purpose, were set upon them, and large assemblies of men and women in the time of James I. took apparent pleasure in witnessing the bloody and revolting encounters. But this brutality was destined to disappear under a higher state of Christian civilization, and these exhibitions came at length to be attended only by the lowest and most degraded class of people, and finally were wholly set aside and abandoned. This discreditable and abhorrent spectacle under some changes of method may still be witnessed in all its essential characteristics in Spain and in the southern portion of the American continent, where the Spanish race is predominant.

Interludes were also disallowed by the proclamation. They were farcical and secular plays, performed by strolling minstrels and jesters, and were obviously unsuited in the king's estimation for the sobriety of the Lord's Day.

The fourth and last entertainment specially debarred by the proclamation was Bowling. This was a pastime early and long popular in England.<sup>2</sup> It was practised on a level plot of grassy ground, denominated the Bowling Green. A small bowl or jack was placed at a given distance, and the winner displaced it, or laid his bowl nearer to it than any other players. The details were doubtless different at different periods. The bowls were biased, one side being made heavier than the

<sup>1</sup> John Stow, in his *Survey of London*, 1603, says, "As for the baiting of bulls and bears they are to this day much frequented." *Vide* ed. 1842, p. 86.

<sup>2</sup> For valuable information on the sports common in England at this time, *vide* *Sports and Pastimes of the People of England*, by Joseph Strutt.



other. As it was necessary to allow for the irregular movement of the bowl, on account of the centre of the weight not being identical with the centre of the bowl, great skill and long experience were required in the successful bowler. This uncertainty offered a temptation for betting and gambling, and naturally called together, in the process of time, a dissolute and profligate class of persons, and the game itself was brought into deserved disrepute.

Not only were certain entertainments forbidden and entirely excluded, but there were numerous and important limitations and conditions imposed by the king's proclamation.

*First*, the sports were to take place at such hours on Sunday as should not interfere with, or be an impediment to divine service.

*Second*, they were to occur only at the end of all the church services of the day in each parish.

*Third*, no person was allowed to take part in these Sunday entertainments who had not attended the service of the church the same day in the parish to which he belonged or within whose limits he resided.

*Fourth*, no one was permitted to wear or carry any offensive weapons at these entertainments.

*Fifth*, the officers of the law were strictly enjoined to bring to punishment all persons who ventured to abuse in any way the liberty granted by the proclamation.

With these limitations and conditions the king anticipated that some important advantages would flow from his proclamation. He expected that the common people would be encouraged to become Protestants,<sup>1</sup> and that they would no longer be tempted to frequent alehouses and tippling-saloons on Sundays, and that they would be effectually preserved against the demoralizing influence of such resorts.

We can hardly fail, I think, to obtain from the foregoing narrative a clear and distinct idea of what constitutes the Book of Sports. The conditions and limitations contained in it were so exacting that it is obvious that these Sunday exercises, if the Royal directions were observed, were neces-

<sup>1</sup> "In Lancashire the Romanists made advantage of this strictness to pervert many to popery, persuading them, that the protestant religion was the school of Tyrannus, where no lawful liberty was allowed." *Vide Church History of Britain*, by Thomas Fuller, vol. iii. p. 274, 8d ed.

sarily performed with a certain degree of dignity and propriety, and that they did not in any way interrupt or disturb the public peace.

It is obvious, I think, that James I., conceited, vain of his learning, pragmatical, and often unreasonable, nevertheless in this case intended to make his Declaration satisfactory to all parties.

The moral question involved in these Sunday sports was, of course, what chiefly occupied the public attention. The discussion, however, of their ethical bearing does not fall within the scope of my present purpose. The subject belongs to theology rather than to history, and has been amply treated by able and erudite writers in many bulky volumes.<sup>1</sup>

Order was given that the Declaration of the king be published in all the parishes throughout the realm, and the clergy were directed to read it in their several churches. It is hardly necessary to add that it met with serious and determined opposition. The Archbishop of Canterbury forbade the reading of it in the parish church at Croydon, where he chanced to be when the order was received. His opposition to the Sunday sports doubtless modified and shaped the views of many of the clergy. The reading of the Declaration or the Book of Sports to their congregations, as required by the royal command, was especially distasteful and repulsive to those who favored a strict religious observance of the Lord's Day.<sup>2</sup> The objections offered were reasonable and conclusive, and the king found it good policy, under the circumstances, not to force the reading of his proclamation, and it was apparently not read to any great extent during the administration of Archbishop Abbot, which was terminated by his death, on August 4, 1633. Two days afterward William Laud, then Bishop of London, was elevated by Charles I. to the office of Archbishop of Canterbury.

He was a man of a different mould from his wiser and more discreet predecessor. He had a hard nature, into which ten-

<sup>1</sup> *Vide* a summary on this subject in *Church History of Britain*, by Thomas Fuller, vol. iii. pp. 373-375. Likewise *vide* *History of the Church of England* by the Rev. George G. Perry, vol. i. p. 260.

<sup>2</sup> "Many moderate men are of opinion, that this abuse of the Lord's day was a principal procurer of God's anger, since poured-out on this land in a long and bloody civil war." *Vide* *Church History of Britain*, by Thomas Fuller, vol. iii. p. 373, 8d ed.

derness never entered. He took pleasure in the sufferings of the criminal, and to him no punishment ever seemed too severe.<sup>1</sup> He was a man of learning, of great ability, of extraordinary energy of purpose, highly conscientious, and in some ways advanced the interests of the Church of England, to which he was thoroughly loyal.

But nevertheless he was inconsiderate, irascible, narrow-minded, and despotic, and meddled too freely with political affairs which were outside and beyond the domain of his official duties.

His methods were heroic. He made haste in his high office. In less than three months he had not only adjusted himself to his responsible duties, but had found time to persuade the king to renew the privilege of Sunday sports. On October 18, 1633, the Declaration of James was ratified by Charles I., with the addition of the Feasts of the Dedication of Churches.<sup>2</sup> Order was at once given by Archbishop Laud to all the bishops that the king's proclamation or Book of Sports be read in all the parish churches throughout the kingdom. Provision was made that the order be strictly enforced.<sup>3</sup> By no subterfuge could it be evaded. The churchwardens of each parish were required to make oath that it had been read in their church, and the minister or incumbent was also required to certify in writing to the same effect.

It is not easy to determine to what extent the order to read the Book of Sports in the parish churches was carried out. It is highly probable that the order was generally obeyed. The clergy who complied, retained their places and stipends; those who refused, for the most part lost their office and their living.

<sup>1</sup> "In the Star Chamber . . . he was observed always to concur with the severest side and to infuse more vinegar than oil into his censures." *Vide Church History of Britain*, by Thomas Fuller, vol. iii. p. 472 *et passim*. For a complete view of the character of Archbishop Laud, *vide* likewise "Appeal of Injured Innocence," by the same, London, 1840, p. 641 *et passim*.

<sup>2</sup> "This declaration . . . was not well received and gave to the people a further disgust at the administration; and some of the clergy who scrupled the reading of it in their churches were suspended by their ordinaries, and prosecuted in the High Commission." *Collier's Ecclesiastical History*, vol. viii. p. 77, ed. London, 1841.

<sup>3</sup> Whoever has carefully read the preceding narrative will probably accept neither the opinion of the Puritan with his Mosaic Sunday, nor that of Archbishop Laud with his Sunday sports. The true course doubtless lies somewhere between the two. *Medio tutissimus ibis* is often as sound in morals as it is safe amid the rocks and whirlpools of a dangerous sea.

The reading to many was distasteful and repulsive: but it was not a crime, and doubtless some of them chose the lesser of the two evils.

The Revolution in England which terminated in the overthrow of the government was now in actual progress. The royal cause was daily losing ground. The Parliament had already come into absolute control. The Archbishop of Canterbury had made himself exceedingly unpopular.<sup>1</sup> His aggressive disposition and measures, his support of the king's unlimited prerogative, and his unwonted claims in his own office had become intolerable. The Parliament apparently thought it time to put an extinguisher upon the zeal and activity of both the archbishop and the king touching Sunday sports, and to bring this troublesome matter to a speedy determination.

Accordingly, on the fifth day of May, 1643, an order came forth from the Parliament in the following words:—

*"That the Book for tolerating of Sports on the Lord's day be burnt by the common Hangman: and that the Sheriff of London see it is executed this order, to whom, all, who have any of them, are to deliver them."*<sup>2</sup>

Henceforth English history on this subject is necessarily silent. The story has been told, and a bonfire in the streets of London completed the eventful and melancholy history of the Book of Sports.<sup>3</sup>

For twenty-five years it had been a source of irritation and discomfort to many, and had yielded to few either pleasure or satisfaction.

G. STANLEY HALL, LL.D., read a paper on the Negro Question as follows:—

*A Few Results of Recent Scientific Study of the Negro  
in America.*

Shaler estimates that about half a million Africans have been imported into this country. No other race ever came here without its own consent. Slavery always involves more

<sup>1</sup> His unpopularity was marked by numerous anonymous letters and abusive censures directed at him from all sides. (See Lamb's Diary.)

<sup>2</sup> This has been a historical tradition, ed. 17th, vol. v, p. 107.

<sup>3</sup> There was no fixed penalty in London for burning other men's books, but it often was paid 20 marks to and in 1643 the 10. Great numbers were at different times burnt to the fire. Eleven or twelve hundred of personal books of devotion were seized and publicly burnt by order of Archbishop Laud in 1637.

or less artificial selection. Those chosen in Africa were usually the best available. Slave traders not only rejected the deformed, old, sick, weakly, but often took great pains to select in both sexes those who were young, large, handsome, and vigorous. In Felt's "Salem" (quoted by George H. Moore in his "Notes on the History of Slavery in Massachusetts," 1866) elaborate instructions are given to the captain of a slave craft bound to Africa to bring home a slave cargo, directing him to select strong and young persons, whether they were captured or bought with rum, and enjoining great care of their health on the homeward voyage. This selection of the best, which Dr. Thomson estimates has within Christian centuries robbed Africa of twenty million of the flower of its youth, has contributed, as Lecky thinks the celibacy of the best did in the early Christian centuries to the dark ages, to check the indigenous development of Africa. It has also helped to make the average Southern pure-blood negro distinctly above his ethnic congeners in the Dark Continent in stature and vigor if not in intelligence. Although the pure-blooded negroes of all tribes are unusually homogeneous, and show general uniformity in the sharpness and definiteness of their ethnic type over most of equatorial Africa (chiefs differing comparatively little from the slaves there), the Southern negro, nevertheless, owes much to this selection. This or the regimen of slavery, or both, have given him on the whole greater weight and muscular development and increased regularity in eating, sleeping, and exercise. Slavery, at any rate, found the negro a savage and left him a trained laborer, and, as was for the interests of the master, in good physical condition.

One of the best evidences of this is found in the statistics of fecundity before and since emancipation. Between 1800 and 1900 the colored population of this country increased from 1,002,000 to 8,840,000, or well-nigh nine-fold. This increase was chiefly indigenous, because the slave trade ended in 1808. At this rate of increase, in the year 2000 A. D. the negroes will number nearly seventy-five million, or, on a different basis, according to Patterson's figures, in 1960 they will number forty-three million, or will equal the total white population of the country in 1880. Their rate of increase suffered marked diminution during the war, but is now slowly approaching the

rate (probably the greatest the race has ever seen) which it had during slavery. Reproductivity is still greater than these figures would indicate; for in those States and cities where statistics of death are available (for instance in Louisiana) the mortality of the negro is greater than that of the whites at every age and greatest of all under five. This is due in part to early marriages and to loose sex relations. Few races, save the Celts, Russians, and Jews, are multiplying so fast. Their increase is markedly in excess of that of the Southern whites, which is high, and still greater than that of the Northern native whites, and greater than the increase of our total population exclusive of immigration. A race that can double three times in a century has a future. The negro's fecundity in the South is distinctly greater than in the North, he is more fertile in the country in the South than in its cities, and it is just here that he follows the great racial law of migrations, namely, of gravitating toward those territories where he multiplies fastest. So, conversely, negroes are attracted least toward those sections of the country where their rate of increase is least. As all schemes of deportation are more and more recognized as impracticable, the problems of this race here for an indefinitely long period are likely to grow every year in complexity and in practical importance. This increase, it must be borne in mind, is despite the very high mortality rates, and every change that decreases this means a more rapid increase in the colored population; this increase, not only absolutely but relatively, is sure to be far greater in the warm South, where the negro is at home, than in the North.

In history no two races, taken as a whole, differ so much in their traits, both physical and psychic, as the Caucasian and the African. The color of the skin and the crookedness of the hair are only the outward signs of many far deeper differences, including cranial and thoracic capacity, proportions of body, nervous system, glands and secretions, *vita sexualis*, food, temperament, disposition, character, longevity, instincts, customs, emotional traits, and diseases. All these differences, as they are coming to be better understood, are seen to be so great as to qualify if not imperil every inference from one race to another, whether theoretical or practical, so that what is true and good for one is often false and bad for the other. Many of these differences were naturally far better understood

by both races in the days of slavery and in the South than ever in the North or anywhere now; the emancipation destroyed much of the interest of slave owners in their chattels, so that intimate knowledge of the blacks by the whites in the South has in many respects steadily declined since the war. This is a faint biological analogue of what would occur if the best breeds of cattle should break up their domestication and return to the feral state; for then man's knowledge of the laws of their breeding and care would lapse, as natural selection assumed the place of artificial. On the other hand, during this period a new scientific study of the negro has arisen, and is fast developing established results which are slowly placing the problems of the future of this race upon a more solid and intelligent basis, and which seem destined sooner or later to condition philanthropy and legislation, make sentiment more intelligent, and take the problem out of the hands of politicians, sentimentalists, or theorists, and place it where it belongs,—with economists, anthropologists, and sociologists.

To select the single question of health from many of the racial differences above enumerated, we find, in compiling many medical studies of the blacks, that their diseases are very different from ours. Their liability to consumption is estimated at from one and a half to three and a half times that of the whites. This is only partly due to their transportation from equatorial Africa, because there they are peculiarly prone to tuberculosis, and measurements show less average lung capacity than is found in the whites. Very striking is their immunity from malaria and yellow fever, which shows a different composition of the blood and which enables them to work in so many places where the whites cannot. They have extraordinary power to survive both wounds and grave surgical operations, with less liability during convalescence to reactions of fever and other complications. There is less suppuration, better and quite different granulation and scarification. Their lymphatic glands are more developed and more effective in filtering out bacteria, so that to most infections they are more antiseptic; and the specific energy of their serum, bile, and phagocytes against toxines is different from that of whites. Cancer, especially of the worst or carcinomous kind, is very rare, as are varicocele, enlarged pro-

state, stone in gall and bladder, and ovarian tumor. They are far more exempt from congenital deformities, whether those due to arrest or perverted growth, so that humpback, club foot, harelip, spina bifida, are unusual. There is more syphilis, but it less often results in tabes; more passion for alcohol and more consequent congestion of the liver, but less pure alcoholism. There is less insanity, mental defect oftener takes the form of idiocy, and all acute psychoses like mania issue sooner in imbecility. Epilepsy is far more common, and is connected with their general erethism. They are naturally cheerful, and so very rarely suffer from melancholia or commit suicide. The strange sleeping sickness they have practically all to themselves. Tetanus is common, chorea rare. General paralysis or softening of the brain, said never to have occurred in slavery although now sometimes found, usually lacks, when it does occur, the characteristic stage of delusions of greatness, perhaps owing to their humble position. Many eye troubles are infrequent, and various other differences have been noted. Now these distinctions involve profound diversities of constitution and diathesis. All their diseases have a different prognosis and require modifications of treatment, so that the training of physicians for the two races needs differentiation. Immune to many conditions morbid for Caucasians, they are very susceptible to others harmless for whites. In tropical Africa men and women are extremely fond of bathing, which their very active skin needs; but this disposition decreases almost exactly as clothing increases, and as the negro goes North is often changed into exceptional aversion to the bath which is suggestive for cooks and nurses. Of course mixture of blood with the whites brings approximation to the pathological conditions of the latter. Many of these differences are so radical that a Southern physician has said in substance, perhaps somewhat extremely, that a successful experience in treating one race impaired a physician's usefulness with the other, and made two hygies and two regimens necessary, — as different as the application of veterinary medicine for horses is from that applied to oxen.

The chief event in the history of the Southern negro in the new world is the infiltration of white blood. But for this the negro in mind and body would be so distinct from us that all our problems connected with the race would be vastly simpli-



fied. Just how far he has lost his rare racial homogeneity here, it is impossible to tell. The extreme minimal estimate that I have found is that one-tenth have some white blood, and one maximal estimate is that two-thirds are partly white. Page thinks that from one-ninth to one-sixth are mixed. Du Bois says that two million negroes here have some white blood. Most estimates range somewhere between one-fifth and one-half. The diversity in the estimates of this proportion shows the difficulties that beset this study. Indeed, this question has itself become a part of the race problem; negroes and their friends always making the proportion large, and Southern whites regarding it as small. The negro himself has an hereditary disregard for heredity and keeps no pedigrees. Where crosses with white blood occur they are, of course, extramarital, and the mulatto's sentiments upon this subject are a strange mixture of pride and shame, while his or her white father has yet stronger motives for concealment. Thus cousins of different racial complexion and even half brothers and sisters sometimes go through life without suspecting their relationship. Scientific investigation here is usually highly resented. Many blacks and even whites hold that pale skins are sometimes produced spontaneously from black parents, — which is, of course, impossible, negro albinos being very rare. Moreover, the grade of pigmentation is not a sure index of the degree of miscegenation, and in the veins of some thought purely African probably flows at least a little of the best white blood of the land. The most serious aspect of the negro question, thus, is found in the fact that the most important portion of the race, whatever its size, inherits more or less of the best Anglo-Saxon cavalier blood, brain, and temper. Thus all the vast psycho-physic differences between the two races are bridged, and they possibly fuse with each other by all imperceptible gradations. We know too little of the laws of heredity to evaluate the profit and loss of this blood mixture. It has certainly given us some of the leaders of their race in this country; and when we think of the Dumases, Pushkin, and many others, we see that it certainly can produce an occasional genius. There is much reason to think that mixture has played an important rôle in history, and that most of the great races are the result of the commingling of different ethnic stocks. Not a few (like, for instance, the Scotch-Irish) have been superior

to either parent stirp. Some have held, from a study of miscegenation in other lands, that sons oftener inherit from their mother and daughters from their father. If this be so, it follows that here, where the crossing is practically all of white fathers and dark mothers, the daughters would be more Caucasian than the sons. At any rate, men like Fred Douglass, Bishop Payne, Booker Washington, Du Bois, Chesnut, Tanner, Dunbar, Thomas, and scores of others, are not typical negroes. Says H. S. Dickerman, "There are full-blooded negroes of ability, but a very large proportion of those one sees in places of responsibility and honor among negroes are of mixed race. It is so with teachers, ministers, and physicians. In many of the most celebrated schools a large part of the pupils are very light, and in the cities one finds congregations in some of the more aristocratic churches in which nearly all are mulattoes."

Whatever the biological laws may be, they are, however, here obscured and rendered ineffective by social prejudice which draws a color line and ostracizes not only quadroons and octoroons, but those with one-sixteenth, one thirty-second, and, Booker Washington says, one one-hundredth negro blood, even though it be so attenuated as to leave no sign discernible save by scrutiny of hair, nails, etc., and condemns mulattoes of whatever degree to association with those whose pure Hamitic blood has known no dash or strain of white. It is this that has intensified racial solidarity and helps to make every question in the South tend to become a race question, and often now divides Southern towns and cities by a color line so drawn that instead of the best whites seeing most of the best mulattoes, the former prefer contact with the pure blacks, and race friction is between the lower whites and the mulattoes. Whether the mulattoes are better or worse than either parent race, prejudice, not only in our own, but in every land where the races coexist, has made it impossible to tell. While there are some pure Africans born with gifts far above the average of their race, most of its leaders are those who have by heredity, association, or both, derived most from the whites. It is their aspirations, discontent, struggles, ending often in discouragement, which makes them either sink to vice or grow revengeful and desperate, that constitute the pathos of the present condition, and make it hardest for the

men to preserve their hope and just ambition, and for the women to keep their virtue in the presence of the whites. A recent writer says, "Ninety-nine per cent of the whites regard all with any negro blood as about alike." It is idle to censure a state of things universal where a higher and lower race come into close contact; but when the South boasts of its magnanimity in aiding negro education or threatens to withdraw support and sympathy, leaving colored schools to be sustained by negro taxation alone, then, and then only, this consideration may be allowed to be not impertinent, and we may even recall Plato, who would have all parents abandon their children in tender years to the care of the state in order that the parental instinct and responsibility might be diffused and all fathers and mothers regard every child they met of similar age as perhaps their own.

Another racial trait of the negro is found in the sphere of sexual development. Special studies show that the negro child up to about twelve is quite as bright as the white child; but when this instinct develops it is earlier, more sudden, and far more likely permanently to retard mental and moral growth, than in the white, who shoots ahead. Thus the virtues and defects of the negro through life remain largely those of puberty. Hence his diathesis, both psychic and physical, is erethic, volatile, changeable, prone to trancoidal, intensely emotional, and even epileptoid states. W. H. Thomas, himself a negro, in his book entitled "The American Negro," says, "The chief and overpowering element in his make-up is an imperious sexual impulse, which, aroused at the slightest incentive, sweeps aside all restraint." This he deems the chief cause of the arrest of the higher development of this tropical race. During slavery regular hard work, temperance, awe of his white master, were potent restraints, and he was often a faithful guardian of the unprotected women of the household, whose head was in the army. Now idleness, drink, and a new sense of equality have destroyed these restraints of imperious lust, which in some cases is reinforced by the thought of generations of abuse of his own women by white men upon whom he would turn the tables. At any rate, the number, boldness, and barbarity of the rapists, and the frequency of the murder of their victims have increased, till whites in many parts of the South have told me that no woman of their race is

safe anywhere alone day or night. Of the 3,008 lynchings in this country during the twenty years ending with the close of 1904, a clear majority are connected with murder or with this crime so often associated with it; although Governor Vardaman's statistics for Louisiana showed that of over three hundred murders in that State in 1903, the great majority were of negroes by negroes, and the most common cause was quarrels arising over the game of crap. There has also been a gradual increase in the barbarity of this punishment for rape, slightly known before the war. The brutality of these assaults is often such that the most staid communities and heads of families, who have strongly and publicly denounced lynching, find themselves swept away in a frenzy of vengeance. When such a crime comes home to one's own wife, daughter, or mother, none of us know what we should do. As a preventative of crime, lynching has something to be said for it, but more to be said against it. This wild justice is brutalizing upon those who inflict it, who are usually young men and boys. Some drastic cures have been suggested, — a drumhead court-martial with immediate execution of the guilty, emasculation, instant trial, and abolishment of appeal, and even the legalization of burning at the stake. These suggestions show at least how desperate is the resolution in the white South that this crime must be checked at whatever cost. One typical aggravation of the evil is illustrated in a certain Southern district known to the writer, where the youngest and most briefless and inexperienced lawyer is by an old custom elected prosecuting attorney. He can receive five dollars for trying each case. His inexperience naturally often causes errors that give ground for appeals and delays. The chief need is that the leading negroes should speak out more strongly against this crime than they do, and no longer give cause to writers like Mr. Page to insist that the race as a whole covertly sympathizes a little with every black victim of a mob, no matter how atrocious his crime, and perhaps with every black criminal. They should feel their own responsibility, and co-operate with the law in enforcing justice and teaching their race not to palliate crime or even shield criminal members of it. The negro's sense of the enormity of the crime of ravishing does certainly seem to differ somewhat from that of the whites. If negroes were listed and all the vagrants kept track of, as in Germany,

if officers had power to summon posses, or if sheriffs gave bonds to be forfeited if they lost their prisoner, or negro officers were given interest in the punishment of criminals of their own race, some help might be found. In a paper of this kind of course only a very few of the points involved can be touched on.<sup>1</sup>

After the war the majority at the North sanctioned the policy of giving the negro the ballot, which Lincoln disapproved and which had been persistently refused him in many Northern States. It was given, if not as a penalizing measure to those lately in rebellion, at least as a weapon to safeguard the freedom of these new wards of the nation. Then followed the eight years beginning with 1867, so tragic for the South,—involving enormous waste and confusion, an indebtedness equalling the entire cost of the war plus the value of the slaves as property, negroizing more or less one-third of the States of the Union until they seemed to be on the downward path toward conditions like those of Hayti, San Domingo, or Porto Rico. Whatever allegiance and friendship the negroes had felt for their old masters was transferred to their new Northern allies. For myself, an abolitionist both by conviction and descent, I wish to confess my error of opinion in those days; and I believe that all candid minds who, in Kelley Miller's trenchant phrase, study rather than discuss the problem, and are not too old to learn, are ready to confess mistakes. Even the Freedman's Bureau helped make the colored man at the South feel dependent upon the North rather than upon his own efforts. Much as the new South has done to outgrow these evils, perhaps the worst effect of all these years is now seen in the fact that Southern negroes are a solidified party arrayed against their old masters on all questions, and cannot divide freely among themselves even on local and economic problems, or follow their own interests, but the party and color line still coincide.

Before the war the negro was often a skilled laborer. Nearly all the agriculture of the South and most occupations pertaining to food, clothing, and shelter were in his hands. The old plantation was an industrial school, not entirely without analogies to the old New England farm which has

<sup>1</sup> See the *Atlanta studies*.

trained so many of its best citizens. When freedom came it was naturally interpreted as freedom not to work, and so came the *au rebours* days of misery where so many Southern novelists and essayists are finding rich fields for literary exploitation.

At this point of Southern despair came one of those masterly pieces of statecraft in the last century — masterly because so simple — in the policy of Booker Washington. Let our race, he said, be as separate socially and politically from the whites as the ten fingers, though industrially as united with them as the fingers are united in the hand. Under the reconstruction era, he says that the chief desire of all bright young negroes was to hold office and to study Latin, and he declares that it is against these two desires that the efforts of his life are directed. More than a score of simple industries are taught. About these nearly all book learning is made to centre. Instead of the one-crop system he would have at least half a dozen. He teaches women to work in the field and garden, as they do at Swansley, England; establishes penny banks; teaches the men to work in wood, iron, lead, and leather, to raise poultry, cattle, pigs, mules, to build houses, make clothes, and, in short, to resume in freedom the control of the industries they had in slavery. His people resisted, for even industrial education suggested to them a return to slavery. Along these lines also he conducts summer conferences which attract negro farmers from every State in the South, and makes slow but effective headway against the extortions of tradesmen who thrive on the negroes' improvidence and credulity and those who sell on the instalment plan or advance money on crops yet to be gathered, levy extortionate rents, etc. Under this policy the negro waives for the present the right of suffrage and office-holding for the ignorant, or at least welcomes an educational qualification. For myself, I doubt if any educational institution in the world's history ever showed in those who attend from year to year greater progress along so many lines, — dress, manners, intelligence, morals, health, — than is seen in the pupils of Tuskegee. Thousands of schools of lower grade are being permeated by this influence, and the negro is winning recognition, and, what is quite as important, is content to do so on his merits. The only modification of Mr. Washington's programme that seems needed is that which

Professor Du Bois pleads for, namely, opportunity for all the higher cultural elements of education to every negro who can take it and make use of it. The only shadow that clouds his future now is the danger, happily diminishing, of the interference of Congressmen of the Crumpacker type with the existing state of things, — confessedly tentative and provisional, grandfather clause and all, — and the growing danger of an influx of white labor and of trade unions, most of which exclude negroes. Their ascendancy in the South would make wreckage of all the now promising solutions of these vastest of all our internal problems. Under this programme the negro will prefer the country to the city, the South to the North, and will slowly develop his full rights on an industrial economic basis, for money and business know no color line.

The course marked out by prudence and common sense would therefore seem to be that the negro should now address himself to the solution of his own problems, carry on the work of studying his race so well begun at Atlanta under Professor Du Bois, and make his own social life as he has made the life of his church (which is its chief centre, and also its most characteristic expression, to which nearly every negro belongs at some time during his life), and recognize that his race has gifts that others lack, — such as an intense and large emotional life, an exquisite sensitiveness to nature, gifts in the field of music and oratory, a peculiar depth of religious life (connected in part with the sense of dependence, which is its psychic root), a strong belief in invisible powers, a certain sense of fate (which in Africa predisposes the natives to Mohammedanism, which is said to be growing as fast as any religion ever spread and which some think a kind of next step above fetichism), rare good humor, jollity, patience, etc. An African museum has been suggested in which should be gathered the folk-lore and records of tribal customs (which a parliamentary commission in Africa has just found to be very elaborate, and in many respects better for the natives than English law, and of which many traces survive here), the anthropological literature upon the race here and elsewhere, and mementoes of Hamitic culture generally. Some have suggested a special permanent commission of those most competent and interested, white and black, to be consulted both by philanthropists and legislators. One of the most hopeful facts in the situation is that there are now for the

first time such experts. Their knowledge certainly ought to be utilized. This we have notoriously failed to do in the case of the Indian. There seems a water-tight compartment in Washington between the Indian Bureau presiding over the material interests of the red man and the Ethnological Bureau devoted to his study. Even the Mohonk Conference has never, I am told, with one exception, heard the voice of one of these specialists who best know the facts upon which all our Indian policy should be based. Let no such mistakes be made concerning the negro. He has capacities for friendship, loyalty, patriotism, piety, and industry in regions where white men cannot work, which in some respects perhaps exceed ours and which the country sorely needs. If he can only be made to accept without whining patheticism and corroding self-pity his present situation, prejudice and all, hard as it is, take his stand squarely upon the fact of his race, respect its unique gifts, develop all its capacities, make himself the best possible black man and not desire to be a brunette imitation of the Caucasian, he will in coming generations fill a place of great importance, and of pride both to himself and to us, in the future of the republic. The chief fact in the present situation is the at last rapidly growing tendency to commit the problems of his race more and more into the hands of its own members. If this is done gradually and wisely enough, and if the present promise of leaders within the race is fulfilled, all may yet come out best for both races in the end.

Mr. GAMALIEL BRADFORD spoke extemporaneously on "Reconstruction and the Negro Question," and on the evils resulting from the usurpation of power by legislative assemblies, and was followed by Mr. FRANKLIN B. SANBORN with some remarks on the principal topic.

Mr. Charles C. Smith communicated for Mr. WORTHINGTON C. FORD, of Washington, a Corresponding Member, a large number of unpublished letters from Edmund Pendleton to James Madison, written between 1765 and 1781.

*Unpublished Letters of Edmund Pendleton.*

Edmund Pendleton, of Virginia, is one of those characters who have come down in history quite as much by reflected glory as by their own merit and capability. A correspondent of



Washington, Jefferson, and Madison, an active member of the House of Burgesses, a delegate to the first and second Continental Congresses, and a warm patriot, he ranks among the first of the Revolutionary worthies that Virginia produced. He is best known for having drawn an early will of Washington, when the latter became commander-in-chief of the Continental Congress, and the speech of acceptance of that trust when Washington had determined to take up the grave responsibilities it involved. An even greater reputation came to Pendleton through the letters he received from Madison while the new Constitution of the United States was being weighed and judged by the States. The following letters represent a part of a series of Pendleton's letters, once in the possession of Payne Todd, the son of Mrs. Madison, and later in that of Mr. Frederick B. McGuire, of Washington, D. C., through whose courtesy I was permitted to make copies. The present location of these manuscripts is unknown to me, but they must constitute the largest single lot of Pendleton letters known. Unfortunately the copies end with 1782, and after some fifteen years I am unable to recall whether that is the actual termination of the series or whether the copying was interrupted by a change of administration. They will form a complement to the letters of Joseph Jones, printed in our Proceedings, second series, vol. xv. pp. 116-161.

## PENDLETON TO MADISON.

April 17, 1765.

DEAR SIR,— I received your favor by Mr. Bell and shall as I see the gentlemen call on them for their proportions of the money decreed you, and let them know you are ready to sign deeds; I have not yet seen them; the success of my application you shall know.

The last tax that we laid was an additional 1/ and Poll (to 4/ taxed before) for five years 1765 to 1769 inclusive; we had then some expectation of money from England, and in the law directed the Treasurer for every 5000£ he received to stop the 1/ for a year. He received 20,000£ so that one year only of the 1/ was to be collected, and that I had heard him say should be this year. Upon the strength of which I wrote Mr. Taylor, and informed others that the tax was of this year, but since that the Treasurer has advertised it to be 4/ only, I suppose he has postponed the collection of the 1/ on account of the heavy levy this year. The House of Commons have resolved and ordered in a Bill to establish a stamp duty, by which every kind of

business transacted on paper is taxed, supposed to amount to £50,000 sterling a year on this colony. Poor America!

EDM<sup>d</sup> PENDLETON.

December 11, 1765.<sup>1</sup>

. . . Our distributor of stamps having resigned, great part of the business of this Colony must stop and some Courts decline to sit altogether, but I don't think that prudent. As the appearance of courts may convince the people that there is not a total end of laws tho' they are disabled to act in some instances, I think they should be held for that purpose and as many things done as can be without stamps, particularly wills, which may be proved and ordered to be recorded, tho' they can't be recorded nor any order made for the appraisement. Administrations can't be granted because the Bond can't be taken. Grand juries may be sworn and all proceedings had on their presentments and on all criminal matters or breaches of the peace. Justices may issue and trie any warrants or Att<sup>rs</sup> relative to themselves, but not att<sup>rs</sup> returnable to Court. . . .

EDM<sup>d</sup> PENDLETON.

February 15, 1766.

DEAR SIR,—I received yours of the 3<sup>d</sup> by Mr. Taylor, and will answer the several parts of it in due order. I wish I could begin with sending your money by her, but the circulation of money seems as effectually stopt at present as any business affected by the stamps; I hope it may be better in the spring and as soon as 'tis in my power you shall have it.

I don't recollect what particulars I wrote you before might be done without stamps, by Courts or single magistrates, so as to add any that may have occurred since, and can only give my opinion in the points you mentioned. As marriage licences are not required to be upon stamped paper, there can be no sort of difficulty in your signing them, when issued by the clerk, as you are not supposed to know that the Bond is, or is not taken on stamp paper. Whether the clerk can safely grant them is a question on which there are variety of opinions, as all Bonds in general words are subjected to this tax. But as the licence which is the Principal is exempted, and the Bond an accessory or incident to it, I am of opinion it is not taxable under the general term of *bonds*, and that the clerk may safely grant them in the usual manner. The swearing a person to an account or to prove his property and certifying it, is expressly within the law and can't be proceeded in, until all other business is, which the courts this way talk of reviving, and indeed Stafford Court I hear began this month.

This should be Nov. [Note by Madison.]

Mr. Beverley's land ought to be sold subject to the leases (or even fair contracts for leases) he had made to his tenants, who must hold the lands for their terms, subject to the conditions in the Leases, and the rent after sale to be paid to the purchaser, all person's rights being saved in the act, but those claiming under the intail; the Leases without recording are binding between the partys and purchasers who have notice of them, and 't will be well for the Trustees to give notice at the time of sale what tenants are on each lot.

There can be no manner of doubt but that George Roebuck has a good title to Hannah, the daughter of Frank, if he is not barred by the act of limitation and 5 years' quiet possession without any disability to sue on his part at the time his title commenced, which was his step mother's death. How came Hannah was not delivered with the others? Was it at that time George demanded her and Harcomb refused to deliver her? Was he ignorant of her, or did he consent that Harcomb should keep her at that time and afterwards demand her and when was the others delivered? As soon as I am informed as to these particulars I can then advise whether the act of limitation will bar him, and will issue the writ or not as I shall find prudent on that point.

I have not seen John Thilman since I received yours, nor had I before heard him mention his undertaking your church. If I can see him, will endeavor to find out his intention and communicate it to you. In the meantime I think you should call on him to sign the articles and a bond with security (which I suppose he was to give) and demand of him to execute them, and then if he refuses, you may immediately let the work to another, and either sue him for any damage the Parish shall sustain by his refusal, if 'tis worth while, or drop him altogether. When I see my friend Mr. Hubbard, I will communicate to him what you desire as to the success of his subscription: the appology is so just and I am afraid the cause so general, that I make no doubt he has before received the same account often, as his papers have been circulated all over the Colony: all who know the family must assent to the justice of your observation (*Inter nos*), and some have unjustly indeed added others very ill-natured and such as his overreaching in trade to support his extravagance, but this was cruel and more so, as I ever thought and still believe him honest.

The Country appear divided, and I am perplexed myself what is best to determine as to opening our Courts of Justice immediately or not. The stopping them hitherto, I always approved of as a good temporary expedient that in the winter season was not very prejudicial, & at the same time seemed to answer two probably good purposes in avoiding a fresh provocation to the Parliament, and engaging the interest of the British merchants towards a repeal. Those ends being answered, there appears no reason to continue the means, for our fate as to that must

be determined in Parliament before they could hear from hence. Why should we not then proceed? If the act is repealed, all business transacted without stamps is good of course. If not repealed, what do we determine to do? It appears to me we must resolve either to admit the stamps or to proceed without them, for to stop all business must be a greater evil than either. And who is there that will agree to admit them? Not one in 1000, I believe. For my own part I never have or will enter into noisy and riotous companys on the subjects, my sentiments I shall be always ready to communicate to serious men. As a magistrate I thought it my duty to sit, and we have constantly opened Court, and I shall not hesitate to determine what people will desire me and run the risque of themselves, and having taken an oath to determine according to law, shall never consider that act as such for want of power (I mean constitutional authority) in the Parliament to pass it. On this principle upon a matter being proposed at last court within the act, I informed the Court it was so, and then put a General Previous question whether they would proceed in any business desired, notwithstanding that act. They generally expressed their intention to proceed this spring, but thought it best to wait a little longer, as they had hitherto stop'd. Were I applied to for an attachment, or any other thing within my office out of court, I would grant it at the party's risque as to the validity of it, for I am not afraid of the penalty, at least so much as of breaking my Oath.

Thus far the sentiments of others as well as myself for proceeding. Others, not inclined to admit the stamps, reason thus. The General Court it is thought will not proceed without them, if the act continues, their jurisdiction being superior to that of the County Courts, the suitors will know their resolution, and he that is cast will appeal and the General Court continue to reverse, for want of stamps, all the County Courts do, to the ruin and vexation of the suitors. Therefore it is best to wait til we know, and then conform to their resolution. Others say that the Governor being enjoined by oath and the duty of his station to endeavour to enforce the law, as soon as he is informed the Courts are proceeding, must issue new commissions to turn the magistrates out of office, and as none that are fit for it will and others dare not succeed them, a total privation of magistracy must follow, and even the Peace must be kept, but Gov<sup>r</sup> Bernard's state of general outlawry realised. Thus you have the sentiments of all partys as far as they have come to my knowledge. I should add that Mr. Hanbury writes that the Ministry had not determined what to do, until they heard from the northern congress, but says there is not the least hopes of a repeal, tho' they speak of moderating it, and taking off the restraints upon trade, and doing some other things by way of composition.

I have by this time convinced you there was no necessity for an

apology for the length of yours, since for that purpose I will make none for this and only add once more that I am &c.

EDM<sup>D</sup> PENDLETON.

EDMUNDSBURY, August 27, 1780.

DEAR SIR, — When you first went to Congress I should have bespoken your correspondence, but knew your acquaintance was extensive and nearer relations very numerous, from whence I judged such a request would give you too much trouble, and declined it, as I was happy enough then to have two valuable friends, who handed me all the important intelligence which was allowed to be made public. They have since retired from Congress, and I must starve for want of news at this interesting crisis, unless you can drop me a line now and then without interfering too much with your business or ease. For happy as it would make me, I can't agree to accept it upon the terms of interrupting either. It is fair to let you know that the benefits arising from the correspondence will be unequal, since tho' you will find me diligent and punctual in it, yet placed as I am in a forest, occurrences will not enable me to give you much entertainment. Thus you have a fair state of the case on my side and will exercise the rights of friendship in declining it altogether, if you find it will subject you to any inconvenience. I am sorry to open this proposed intercourse with condoling you on the unhappy affair to the southward, the particulars of which you will know better than I, as I hear an aid has passed with Gen'l Gates' letter to Congress, and our accounts here are much confused; we have been unfortunate in that quarter hitherto, but I hope we shall persevere till we catch the lucky moment for success, and that you will hand us something comfortable from the northward ere long.

EDM<sup>D</sup> PENDLETON.

EDMUNDSBURY, Sept<sup>r</sup> 25, 1780.

DEAR SIR, — I am made very happy by your obliging favor of the 12th promising to indulge me in the desirable correspondence; since I requested it I have been informed you have ill health. I cordially wish its speedy restitution, but intreat you'll not injure it by devoting to me too much of that small portion of time which health as well as vigor of mind requires should be employed in relaxation from the severe duties of your appointment, and on these terms I shall thankfully accept the favor you so kindly offer.

Our sanguine hopes of redeeming our ill luck to the southward, by a great stroke eastward, have lately been fluctuating, since the account of the fleet with the 2d division intended for our assistance by our illustrious allies being locked up at Brest, we had intelligence by a vessel from Cape François that he sailed from thence with a French fleet of 24 sail

of the line for America, which he parted with to the southward. Comparing this with the account of our two prisoners escaped from Charles-Town that they were alarmed there by the arrival of a French fleet; General Gates's information that St. Augustine was attacked, and the various accounts of a fleet of about 18 sail having passed our Capes, a mind sanguine as mine, will draw hopes of very important events yet taking place before the close of this Campaign.

The affair to the southward was indeed unfortunate, not only in the loss of some of the brave Maryland line and the baggage, but in the disappointment we met of a great victory, which every circumstance promised. I feel no part of it more sensibly than its having added another article to the *blushing* honors of poor Virginia; what will she come to? Her new levies are gathering, they would have formed but a weak line at best, but their numbers considerably lessened by too many excuses of inability being admitted from the militia, and their quality impaired by accepting substitutes unequal to the person drafted; there are however, some very clever fellows, and I should be satisfied with them, if they were engaged for the war, but by the time they learn the duty tolerably they return, and we are to incur again the ruinous expense of recruiting, which on this occasion has been enormous. I believe by accounts I have had the men inlisted have cost on an average £5000 each besides the public bounty of a hhd tobacco, a sum which at any rate of depreciation must exceed the ability of any country, frequently to repeat.

I have thought long ago that 't was high time the confederation was compleated, and feared some foreign powers might entertain from its delay, suspicions of some secret disunion amongst the States, or a latent intention in Congress to keep it open for purposes unworthy of them; I am happy to hear it is resumed and think it becoming, and indeed an indispensable duty in this, as in all other social compacts, for the contracting members to yield points to each other, in order to meet as near the center of general good as the different jarring interests can be brought, and did it depend upon my opinion I would not hesitate to yield a very large portion of our back lands to accomplish this purpose, except for the reason which Shakespeare has put into the mouth of his Hotspur.<sup>1</sup> In reason and justice the title of Virginia to the western territory can no more be questioned than to any other spot in it. The point was fully and warmly agitated in Congress and determined in her favor, 12 States were satisfied and agreed to confederate, and yet one stops the whole business, setting up her judgment in opposition to so

1 "I'll give thrice so much land  
To any well deserving friend:  
But in the way of bargain, mark ye me,  
I'll cavil on the ninth part of a hair."

many? Yield to her in this, may she not play the same game to gain any future point of interest? I am told that Maryland insists upon one of our delegates having in a manner promised when the point of declaring independence was in debate, that the back lands should be a fund for supporting the war. I have [heard] that a rhetorical expression to that purpose was used by a gentleman on that occasion. can balance that account at least by a very serious question more in point, debated in Congress in 1775, when the delegates from Pennsylvania and Virginia proposed that a garrison of 400 men be raised and kept at common expense at Pittsburg to awe the Indians. It was warmly opposed from *Maryland* upon this ground that it was a of those two States merely to guard their own frontiers in which the others were not concerned, and therefore the expense must be incurred by the former. Their objections prevailed, the motion was rejected, and the two States raised the 200 men that service soon afterwards: However with the Assembly it must rest to determine what they will yield to harmonize and cement the union, and it must be acknowledged that in other respects, particularly in the field, Maryland has maintained a very worthy character in the contest. For my own part I never was anxious about our back lands as a valuable fund. I was against the sale of them at all, but for putting them into the hands of the people upon the terms and in the mode accustomed, being of opinion that the consequence of allowing purchases of unlimited quantities, and that without the obligation of culture, would introduce more disputes and confusion than the money would recompense. The small experience I have had of the business since, has rather confirmed than changed this opinion. However, as I was then, and perhaps am yet singular in this opinion, I am very ready to suppose I am mistaken in it.

Whilst I am on this subject permit me to suggest that I have heard it surmized that this mighty earnestness in Maryland proceeds from 5 or 6 gentlemen there being concerned in an Indian grant of great part of the country between the Ohio and the Lakes, which they hope to preserve by having it thrown into the share of that Country in case they make it a common stock. This our Assembly will never agree to, as it would be most unreasonable to expect them to yield their territory, in order to form principalities for a few individuals of other states. It is time for me to leave it to those whose province it is to decide on it; it shall be mine to acquiesce.

EDM<sup>d</sup> PENDLETON.

EDMUNDSBURY, October 1, 1780.

DEAR SIR, — Since my last I have your favor of the 19th inst. and can't conceive where the great fleet of our allies are? They must

have left the windward Islands, and Rodney have been deceived by them if they did not come to America, as he would not otherwise have ventured to leave those seas. We hear nothing further of them to the southward.

I hope they are not in a state of such perfect security at New York as to induce them to spare 5 or 6000 men to invade us. Our people however promise if they should pay us such a visit, to fight them hard. I hope at least they will do better than those who met *Ld. Cornwallis* at Camden, I mean the militia, for the Maryland Regulars did honor to themselves and country.

I am sorry to hear of the mortality which rages in your city. It is pretty general and might indeed be expected after so very hot a summer. Even our healthy forests are not exempt from the ague and fever, tho' scarce ever known in them before. I hope you and my other friends from Virginia, escape the contagion, which low habits have generally the best chance to do.

We have just received an account that *Colo. Clarke* has had a battle with the Indians at one of their towns about 170 miles from the Falls of Ohio. He had 16 killed and 12 wounded, and found about 15 of their dead. He made them run, burnt up two towns and destroyed all their corn there, about 300 acres of very fine. My informant who was in the action thinks it would have made 20 barrels to the acre. *Col. Clarke* did not pursue them, having intelligence that the Indians had somehow got notice of his attack, and had sent to Detroit for a powerful reinforcement, which they daily expected.

EDMUND PENDLETON.

VIRG<sup>A</sup> October 8, 1780.

DEAR SIR, — I have your obliging favor of the 26th past & know not when my first letter, after you kindly accepted my proposed correspondence, should have reached you, but be assured I have not missed a week since, nor shall I unless sickness prevents me, being a very punctual tho' not an entertaining correspondent; at this time I have not a word of foreign or domestic intelligence to communicate, except that we had a report on Thursday last of a large fleet of British ships arrived in our bay and that they were landing their men at Portsmouth. But as I have heard nothing further of it and the governor had no account of such an invasion on Friday, I take it for granted the story is without foundation. I might indeed fill my paper if I was to trace *Graves* and *Rodney* thro' the various excursions my fancy has framed for them, but blank paper will give you as much satisfaction as such a reverie would.

What do you think of government having advertised the time and place for the execution of each condemned rioter in Britain? It is a



challenge to the mob to come forth, and confirms me in a former opinion, that the despotism adopted at the commencement of the present reign had a much more extensive object than America, and was intended to reach the whole empire. I think & foresee it began in Britain and that it will be prosecuted there whatever is the fate of America. And considering the number of crown officers and prisoners with the creditors of government and all their various connections, it seems to me they will have a better chance of succeeding there than here; so we can keep clear of their horrid tyranny, they may settle the other point amongst themselves.

EDM<sup>d</sup>. PENDLETON.

VIRG<sup>a</sup> Oct 17, 1780.

DEAR SIR, — I am anxious to hear from you. Since missing that pleasure last week, I fear the general sickness of the citizens has reached you. I shall be happy to learn it proceeded from any other cause.

The story we have of Gen<sup>l</sup> Arnold's corruption is indeed shocking to humanity and I wish much to know the utmost consequences of the discovery, as far as they are manifest, and proper to be made public; for I know you too well ever to ask you to reveal even to me what your duty or the interest of the States requires to be kept secret, and if I know myself I would not desire it of any one. This I wish to gratify curiosity, and not because I feel any part or fear the keenest probe, as I hear some have done and taken themselves away. Providence in bringing this secret mischief to light just as it was on the point of completion, has given another instance of its kind interposition in favour of our just cause, which I hope will rouse all its favorers from that apathy from which alone our enemies can hope for success. We have just received a very agreeable piece of intelligence from No. Carolina, that Col. Sumpter has taken Col<sup>o</sup> Tarlton and all his horse but 4, with as many infantry as made in the whole 900, having surprised them in the village of Charlotte, when they were inebriating freely upon Col<sup>o</sup> Sumner's having evacuated that place and retreated towards Salisbury. The story is not ill told, and has this further confirmation that a gentleman in this county had just received a letter from his son who is in those parts, informing him that Sumner was retreating before the enemy, and Sumpter in their rear had written to General Gates to send him a speedy re-inforcement, which would enable him to cut off their retreat and he doubted not to give a good account of them. I suppose their junquet induced him to attack without waiting for the succors he had called for. If this be true, I hope 'tis the beginning of a flood tide in our southern affairs after the long ebb we have experienced, and the rather as we hear the North Carolinians turn out very

spiritedly, and besides their infantry have mounted at least 1000 good horse, and that their southern neighbors grown weary of their new, old masters, are generally ready to aid in their expulsion as soon as they can have a tolerable prospect of success. Our Assembly are to meet us on this day. I have seen some of the members who appear resolved to make it the business of this session to provide for the next year's campaign which they have heretofore very improperly suspended to the May session, voting in that the raising of men at a time when they should have been in the field. May Heaven prosper their and your councils to the putting an agreeable period to the war.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, October 23<sup>d</sup>, 1780.

DEAR SIR, — Since my last I have not only received your favor of the 10<sup>th</sup> but that of the 3<sup>d</sup>, when I supposed you had not written, also reached me after a circuitous trip to Richmond, and removed my fears for your want of health. I have no particulars of the affair at Charlotte, mentioned in my former, but its authenticity seems confirmed, and as our recruits are marched that way, I hope we may soon have an army in that quarter to improve this beginning of good fortune. It will be the fault of Virginia if she is surprised by the enemy in case they intend an invasion here, since they have been for sometime past in daily expectation of such a visit; how they may be prepared for it I know not, as I have not been lately away from home.

How do Congress bear the horrid confinement of Gov<sup>r</sup> Gadsden & Co.? Do they mean to retaliate, or suffer the Convention troops to riot in ease, plenty and breathe a free and healthy air whilst our friends are stifled and suffocated with the stench of a prison ship, or a dungeon in St. Augustine? It is horrible to think of, unless indeed it be true that in breach of their parole and good faith, they had really plotted the recapture of the town and garrison, which cannot easily be credited.

The motions of our good allies are mysterious, but I yet hope may produce something beneficial before the end of the campaign; we have a loose report that they have given the British fleet a great wound in the West Indies, but it is too vague to be relied on.

EDM<sup>d</sup> PENDLETON.

50 sail of ships are in the bay.

VIRGINIA, October 30, 1780.

DEAR SIR, — Since my last your favor of the 17<sup>th</sup> has come to hand and we have a visit from the troops embarked at New York. My accounts of them are very imperfect, but they seem to have divided

themselves, landing 1000 infantry and 300 horse at Hampton, and another body at Portsmouth. We have just heard that they have re-imbarked from Hampton, after taking about 500 head of cattle, but whether they meant to go off or come up James River and take possession of Williamsburg, seemed doubtful. Perhaps the paper of to day may give us information, and give you also a more perfect account of the agreeable turn in our southern Affairs than I am able to do, having accounts of various pieces of good fortune in that quarter said to be well authenticated, but so jumbled together and the scenes at the same time so distant, that I can't develop the intelligence satisfactorily. Thus Tarlton is surprized, and 600 of his legion taken, but where or by whom is not said. I conjecture 'tis at Charlotte by Colo. Davidson, perhaps joined by the group of Colos. who beat Ferguson at King's Mountain. A council of British officers and indians are taken with many goods at Augusta in Georgia. This I suppose to be the affair of a Col<sup>o</sup> Clarke, mention'd in Dixon's last paper. 6000 French have landed and taken the Savanah, and somebody has driven Lord Cornwallis from his dinner, and somebody has taken Georgetown, but who they are and whether the same body did both I am not informed, perhaps your accounts from General Gates may be more intelligible. I think the stroke the British commerce hath received from the combined fleets off Cape Finisterre must humble them a little and perhaps they may think seriously of peace. Pray is it true that a Congress of ministers from the belligerent as well as several neutral powers is expected to be held under the mediation of Russia? and may we expect any good from it, or is it mere amusement? Is a general exchange of prisoners agreed on, or only a partial one? We hear Dr. Lee and M<sup>r</sup> Izard are with you and are open and unreserved in their abuse of Dr. Franklin. They must have very strong proofs before they can affect the character of that great man and philosopher, so long and universally esteemed for his wisdom and integrity, but I am more concerned for our common interest which must receive injury from every internal wrangle of this sort.

A sufficient number of our delegates had not met to make an House on Thursday last and as many of the town gentlemen went away on the news of the invasion, I doubt they have not yet, tho' a fortnight has elapsed since they should have met. The sickly season may have occasioned this, otherwise 'twill be difficult to account for the cause of such supineness at so critical a juncture, when the consequences may be fatal. I hear the militia march on this occasion with great alacrity and even ardor, tho' I think the setting them in motion is rather slow.

I hope the prizes to the Saratoga have found their way through the fog to some of our ports, and not reached New York. . . .

EDM<sup>d</sup> PENDLETON.

VIRGINIA, November 6, 1780.

DEAR SIR, — My friend Mr. Griffin left me this morning by whom I sent you my best wishes for your health which he told me was low. I hope the approaching cold season may brace up your nerves.

I judged from your account of the number of the enemy embarked from New York that they were in pursuit of something to eat; we now hear they have picked up a quantum sufficit to load their vessels with beef and mutton and are going back to New York, where 'tis said provisions were short; but this supply and that by the Cork fleet will relieve them.

We have loose accounts from the southward that the British army to the amount of 3,000 are taken, that of their being surrounded by some formidable bodies of ours seems well told and renders the other not improbable.

Just after your account of the large invasion from Canada into the frontiers of New York, we were amused with a certain account (as 'twas called) of the taking of Quebec by the second division of the French fleet and army, so long expected at Rhode Island. We are since deprived of this pleasure by a flat contradiction of the intelligence. Was this mere invention, or had they any ground for circulating the report. We had yet no House of Delegates on Saturday last which with an empty treasury, are circumstances unfavorable at this juncture. Mr. Henry has resigned his seat in Congress and I hear Mr. Jones intends it. It is also said the Governor intends to resign. It is a little cowardly to quit our posts in a bustling time. . . .

EDM<sup>d</sup> PENDLETON.

VIRGINIA, November 18, 1780.

DEAR SIR, — I have your favor of the 31<sup>st</sup> past and am pleased to hear the former account of the arrival of the Cork fleet proved premature, since we are so bad Christians as to be gratified with the distress of our enemies. It was probably the transports with their new levies which were mistaken for the others.

The enemy here have collected a handsome recruit of provisions, but whether they mean to carry them to their friends at New York, or to stay here and consume the stock, yet remains a doubt, since their continuing to fortify at Portsmouth and the Great bridge indicates the latter, and yet their numbers, if we are not deceived in them, forbid such a conjecture. I have heard nothing certain from Gen<sup>l</sup> Muhlenberg, a loose report was that they had been fighting two days, but this is destroyed by later accounts. Perhaps the paper of to-day may give some account of that as well as the enemy's southern army, who it is said have escaped our parties, and are like to get safe to Charlestown. The enquiry into General Gates' conduct gives general satisfaction, as

popular prejudices against his conduct to the southward ran high, and such an enquiry will satisfy the public of the justice or injustice of the suspicion.

It was rather unfortunate that an assembly at this important juncture could not make an House 'til last Monday (three weeks too late) for want of members. I hope they will make amends by their vigor and diligence for this great listlessness and inattention.

EDM<sup>d</sup>. PENDLETON.

VIRGINIA, November 27<sup>th</sup> 1780.

DEAR SIR, — My last account of the enemy was the 18<sup>th</sup> when they were all embarked, but whether with a design to leave the State, or to make an impression on some other part of it was doubtful. There was something mysterious in their leaving their slaves on shore and some captured vessels in the harbor at Portsmouth, and indicated their having designs of further hostility — unless they had not room for the slaves, nor hands to spare to man the vessels. This uncertainty and a report of some deserters that they meant to come up James River induced Genl. Muhlenberg to move his camp higher up the river to watch their motions. I expect, however, that the post to day will bring us an account of their having left us. There was no truth in the story of a battle I mentioned in my last, but I believe it was true that a clever stroke of that sort was prevented by some dispute between two officers about rank, my friend there don't name them, but report says it was Gibson and Josiah Parker.

Our last accounts from the southward are that L<sup>d</sup> Cornwallis being surprized at a Tory's house at dinner, rode off thro' a hot fire of the militia and went off immediately in a litter to Charles Town, said by deserters to be mortally wounded. That his army was surrounded by different parties of ours, all of both very hungry, except Sumpter's party who were foremost and had the picking of the provisions. That Tarleton's horse had made a charge upon Sumpter in his camp, but found him so well prepared that he was glad to scamper off as quickly as his lean cavalry could do, leaving ten killed and twenty prisoners. I suppose he hoped for another surprise.

I am told the assembly are raising a fund of negroes and plate as a means of recruiting our army for the war, according to your requisition on that head, but mean to contravene your wishes on the subject of money, intending I hear a large new emission, and to make that as well as what was emitted under the act of last session, and all certificates, payable for taxes of the next year, which will of course leave so much of the old money in circulation and stop a proportion of the new from coming south, and so retard, if not defeat, the purpose of Congress upon that great subject. I take this only from report, and it may be mis-

represented; or if such be the present opinion, as they have yet a very thin House, it may change in the progress of laws framed on the subject, which is a deep and delicate one, and may Heaven give them the wisdom to discern what is best and I doubt not their integrity in adopting it. I don't hear they have proceeded yet to any elections of a chancellor or members to Congress. I suppose they wait to be fuller.

EDM<sup>d</sup> PENDLETON.

[VIRGINIA, Decem<sup>r</sup> 4<sup>th</sup> 1780.

DEAR SIR, — Since my last I am indebted for your two favors of the 14<sup>th</sup> and 21<sup>st</sup> past. Everything wears the appearance of confirming the intention of the enemy to make a winter campaign to the southward. The fleet who lately left us, it is said divided off the capes, part steering eastward, the others to the South. If those and the late embarkation from New York should meet at Charlestown, I fear that with the army already there, they will recover the ground they have lost by the spirited affair at King's Mountain, and revive the rapidity of their progress through that State.

Our militia are returned sickly and murmuring at the treatment they met with below, from forced marches and too strict attention to orders, not being allowed to break their ranks, tho' to avoid deep ponds of water or to drink; this brought on pleurisies and the death of 8 from this County that I have heard of, besides many yet in danger; I fear it will have bad effects on the recruiting service, besides the loss of some good men.

Our Assembly have made all paper money issued and to be issued a legal tender in payment of all debts. The specific negro and plate taxes are given up and we are to pay £80 p<sup>r</sup> ct. on the late specie valuation in January, as a fund for raising the soldiers at £5000 a man for three years' service (for I understand they have no hopes of raising them for the war) tho' I hope that term will exceed the other indefinite one. Mr. Blair succeeds Mr. Nicholas in the Chancery, and Mr. Fleming goes into the General Court. Your Colleague in the room of Mr. Henry is yet to be chosen.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, December 11, 1780.

DEAR SIR, — I take up the pen merely to ask you how you do? Having nothing foreign or domestic to entertain you with; I have not even heard a word from the Assembly this two weeks. Yes, I have one very unlucky circumstance to mention, which tho' it may seem of little consequence, I fear will have important effects in the future. Our militia who turned out with the greatest alacrity, are returned with the most riveted disgust, which is communicated to all others, so that it is

announced in all companies, that they will die rather than stir again. They were very sickly and many died below, on their way back and since their return, all which they attribute to the brutal behavior of a Major M<sup>c</sup>Gill, a regular officer, who had the command of them in their march down; besides forced and hasty marches, wh. will hurt raw men. They alledge that he wantonly drove them through ponds of water which might have been easily avoided, and would not allow them time to eat. Thus travelling in their wet cloaths they contracted laxes and pleurisies, which proved fatal. This disgust I fear will prove a prohibition to the recruiting our Continental quotas — if it produces none other bad effects.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, January 1<sup>st</sup>, 1781.

DEAR SIR, — I have forfeited my reputation for punctuality by omitting to pay you my respects by last post, which being Christmas day, I had fancied the rider would not move, but he did so, and without my letter. I am afraid you'll say it would have been no loss, if I had repeated the mistake to day, since I have not a syllable of intelligence foreign or domestic, except that we have housed a fine crop of corn, such as was never seen in Virginia before, and have hitherto had a charming winter. The account of Sumpter's success against Tarlton, and of Col. Washington's compleat surprize of the enemy, at least a party of them, are our last accounts from the southward, and I do not hear on what ground our Assembly fixed the recruiting bill which changed shapes as often as Proteus. It is said they adjourned on Saturday last. I am glad to hear that the embarkation at New York was only taking place when you wrote your last letter, as we had supposed the reinforcement were already at the southward. As it is, we have some more time for preparation. I fear not enough. Pray what do you think of our new appointment of something, I know not what to call him, to Congress? <sup>1</sup>

EDM<sup>d</sup> PENDLETON.

VIRGINIA, February 5, 1781.

DEAR SIR, — I congratulate with you upon the very agreeable intelligence from the south of which you will have a full account ere this reaches you. I think L<sup>d</sup> Cornwallis's army must be broken and can only depend for safety upon that at Cambden under Gen<sup>l</sup> Lesly, and could we immediately fill up our line for the war, I think the termination of that evil would not be far distant. I have heard Arnold and his crew have left us, but dont know the certainty. Nor for what purpose the Assembly are to meet the 1<sup>st</sup> of March, unless it be on the subject of money or that any circumstance respecting the recruiting the men may

<sup>1</sup> Benjamin Harrison. See Letters of Joseph Jones, Washington, 1889, p. 65.

make it necessary. Perhaps times appointed for measures may have elapsed during the invasion and require new directions.

Our friend Craddock Taylor wishes to know if there are any hopes of his speedy exchange. There are some seamen at Winchester who would answer the purpose, if they can be applied to it, but that you know best. It is said that in Morgan's engagement the militia behaved to a charm, dealing out their bayonets with all the spirit and dexterity of veterans. Let them have credit for it.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, March 5, 1781.

DEAR SIR, — I have your favor of the 13<sup>th</sup> past and thank you for the foreign intelligence, on which head we are made to expect something more interesting this week by an account which a gentleman affirms he saw going to the press in New York City, of Count d'Estaigne's having taken 7 sail of the line of British ships out of a squadron of 9, and forty odd transports. Whither bound, we hear not, and of course taking it by the best handle for ourselves, we set it down for the reinforcement we have been threatened with to their Southern army, and conclude we have so many less to contend with.

In mentioning the race between Green and Cornwallis, I stated them as running parallel at the distance of about 60 miles. It seems they were much closer, and in the same tract, Green's rear frequently skirmishing with the other's van to give his own time to get on. However, Dan river ended the pursuit, his L<sup>d</sup>ship, having staid on the south side about ten days, retreated to Hillsborough, and there divided his army into 3 bodies, one setting out towards Salisbury, another towards Cape Fear, and a third taking a course between. If he continues that order of march, as his parties must soon be far distant one from another, I think two at least, if not the whole, must fall a prey to the pursuers, or to Gov<sup>r</sup> Nash and Caswell, who, 'tis said, have a large body in their way. But this is rather supposed to be a shamade, and that he will soon reunite them in one body and march for Camdden. Be it as it may, I think our Cavalry must do something on this retreat.

It is mentioned as from good authority, that the French ships in our Bay had been out on a cruise and returned with five provision ships and two armed vessels destined for Portsmouth. I fancy a seasonable disappointment to the enemy, who are rather scarce there. Our Assembly met on Fryday last, and Col. Lee placed in the chair without opposition. We continue to pick up men for the war and shall get more than I expected.

The group of Col<sup>o</sup> I formerly mentioned, it is now said brought Green 2000 men, who are cheerfully gone with him in the pursuit, and I hope will be an overmatch for Cornwallis' mirmidons in bearing the



fatigues of march, as well as skirmishing, should they meet in the woods. Let Virginia have credit for having thus stop'd this powerful adventurer on her borders, if she should not be able to give a more agreeable account of him.

EDM<sup>d</sup>. PENDLETON.

VIRGINIA, March 19, 1781.

DEAR SIR, — Your favor of the 27<sup>th</sup> was closely followed by Col<sup>l</sup> Harrison, who gave me much information; I had the satisfaction among other things to learn that your health was re-established which I had entertained some fears about from accounts last fall. May it long continue firm and vigorous.

I have been long in hopes of hearing some good account of Cornwallis, in consequence of his mad trip, and reports for some time had been very favorable to such expectations. Having nothing from thence lately, we consider it a bad omen, and are prepared for any disagreeable intelligence to which two loose stories, of the defection of a militia General Gregory, who had engaged to betray and deliver up 1000 men, but was discovered in time to prevent it; and the surprize of our infantry under a Col<sup>l</sup> Williams, have a good deal contributed. A third indeed is added, that our militia cool in ardor in proportion as they retire from the line of the State and grow impatient. I wish they could always be engaged as soon as they are collected, whilst they possess that fire which they carry from home. I fear indeed that they want provisions in that country, not abounding in them at best, and now exhausted by the ravages of both armies. In short I cannot avoid my fears of disagreeable news from that quarter after expecting the best.

It is strange that we can't depend upon what we hear even from the sea coast of our own country. You'll have heard of the enemy's having come from Portsmouth into Hampton neck for plunder. The spirit of a few neighboring militia, tho' they got hurt in the opposition deprived them of all their plunder except a few negroes and horses. We first heard they had gone back to their Den; then that they had advanced to York Town. We were last week assured the Marquis had got safe down and a considerable French fleet arrived; now we are told that neither had happened; we have two accounts circulating which we consider in opposition to each other, and but one of them can be true, if either be so, that St. Eustatia is taken by Britain, and that Count d'Estaigne had burnt 300 ships in Kingston Harbor and plundered the town. If the account of the Count's former capture of part of Hood's squadron be true, the latter is not improbable; nor if it be groundless is the former.

Were the outlines of the basis of a treaty for peace which were pub-

lished in the Packet really sent from Spain, or fabricated in Phila.? I think they would be a good foundation to build on.

My mouth waters when I read the Adv<sup>t</sup> for the sale of the Saratoga's prize, containing such a quantity of that Cordial Elixir I have long been deprived of. However, I will not depart from the restraint I laid myself under from the beginning, to purchase nothing which is not absolutely necessary.

We have just heard that our allies have lost their naval superiority to the northward.

EDM<sup>d</sup> PENDLETON.

Our Assembly have yet done nothing, being engaged in a dispute about privilege.

The Marquis is arrived at York in a whale boat, two days after another boat arrived there with about 30 men. The residue of his men got to Annapolis just time enough to escape two frigates Arnold sent up to take them.

VIRGINIA, March 26, 1781.

DEAR SIR, — I have your of the 13<sup>th</sup> which announces Mr. Jones's intention of coming to Virginia, so that you will have for a time at least, the whole burthen of my correspondence on your hands, as I am in this instance a severe task master and can't abate of my weekly revenue. I'm sorry there is so good ground for discrediting Count d'Estaing's victory. I even doubt his going at all to the West Indies, which may admit of the enemy's parting with some of their ships from that quarter to reinforce and give a decided superiority to their fleet in America. Indeed our Executive are of opinion that the squadron now in our bay is from thence commanded by Rodney. However from their number and sort, it is generally supposed to be the New York fleet, and that their errand is to take away Arnold's corps. Some negroes lately escaped say the troops at Portsmouth are in high spirits upon the prospect of getting off. The Marquis it is said, is much chagreen'd at his disappointment.

A vessel is just arrived from Martinico, the captain of which affirms that the British have taken Statia, as well as the American vessels, but I rather think it is a mistake, as that would be too bold an attack upon the confederation for supporting the rights of neutrality, for even the apathetic Dutch to bear. They might color over the taking the American vessels, but not the other.

I can almost venture to congratulate you upon the event of Genl Greene's battle, which tho' he first quitted the field, may be considered in its effects as a victory; since he retreated in good order, unpursued, and offered battle again the same day, which was declined on the part of Cornwallis. Since their loss at least doubled ours, and our general

and men remained in high spirits eager for another action, when the account came away. This will, however, be highly puffed off at New York, if we may judge of their candor from the account they published of Morgan's brilliant victory. I am happy in being told that our militia at this time stood as firm as a rock, tho' concerned to hear their brave leader Gen'l Stevens received a wound in his thigh, it is said to be in the flesh only and not dangerous. It is said the N. Carolina militia were very bashful, but I hope they may recover their fortitude another time. If Arnold goes, I expect it will be there, which affording an opportunity to the Marquis and Gen'l Wayne to unite their Corps to Green's, may draw the contest more to a point, and be productive of some good consequences, tho' the detail divided rencounters might probably be *prose* [?] promising of success to us.

I send you for your amusement a battery which our Assembly was preparing to send to Congress against the Northern States, but were diverted from the subject by Col<sup>o</sup> Harrison's return and the prospect of assistance. You will consider it as the rough draft of a private member only, not considered even by the committee who were to prepare it. It may be not improper for Congress to pay some attention to the sentiments, tho' you'll not publish the paper.

The Assembly this session got over that frugal disposition which at the last prevented their filling up our representation to Congress, and they have done so. Whether Col<sup>o</sup> Lee's election to the chair and the Dr's presence gave hope of the latter being appointed, and produced the change of sentiment, or to what other cause it is to be attributed I will leave to motive-mongers to decide and only say that Col<sup>o</sup> Harrison is elected, but as it was in his absence, I know not whether he means to accept it. I know not what the Assembly have done besides authorizing the emission of 15 millions more, and directing the raising two legions for State defence to consist of 600 infantry and 100 cavalry each, under a Brigadier (Spotswood) L<sup>t</sup> Col<sup>o</sup> Taylor and Meade, and 2 Majors each. The cavalry to find their own horses. Officers and men to receive Continental pay, rations and forage whilst on duty, which is only during an invasion. The privates, half pay at all other times, and the whole exempted from all other militia duties and drafts: which if completed, will be a better defence against plunderers than our former systems.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, April 2<sup>d</sup>, 1781.

DEAR SIR, — Since my last, I have Mr. Jones' favor of the 20<sup>th</sup>, but as I hear he is now at home, I write you, as I shall continue to do weekly in future.

Mr. Jones mentions the anxiety in Phil<sup>a</sup> for the event of an expected

meeting between the French and British fleets. In this perhaps, you may be relieved by some intelligence which has not reach'd us, but we are quite in the dark about it, having a British fleet lying quiet in Lynhaven Bay, joined lately by some transports, so as to make the whole about 40 sail. At sometimes we are told they brought General Philips and a reinforcement of 1500. Other accounts are that they have no troops at all. Various also are the reports respecting the battle. Some say it was a severe conflict, in which the British were worsted, having the London and 2 74's towed in, and that the French did not pursue them into the Bay, because they did not choose to risque their troops, which they had since landed at Cape Fear. Others report the engagement was very trivial, and rather a kind of salute as they past each other. And in this State of suspense are we at present, respecting this important affair.

I am happy to find that every day proves Gen'l Green's battle to have ended more favorable for us, than was known at first. It was peculiarly fatal to his officers, who I suppose were the marks of our riflemen and of whom it [is] said he has not enough left to command his shattered army. Nothing more strongly evinces his imbecility than his having left behind him part of his own wounded, with ours, among the number Gen'l O'hara, since dead. I think we must yet catch this noble adventurer, who yet appears to be the object of a special Providence, since of two horses killed under him, one received 15 balls, and yet the rider escaped unhurt.

A letter from Philadelphia of the 20<sup>th</sup> past mentions the death of the Empress of Russia and that her successor had allied himself to Britain, but as Mr. Jones to me and Dr. Bland to the Gov<sup>r</sup> in letters of the same date, are silent as to that important subject, I think it rather some mercantile manoeuvre. However, if Britain hath not a good prospect at least of some powerful ally, her late stroke at the Dutch is astonishing, and must proceed from unbounded pride or desperation. Surely this blow must cure the Mynheers of their apathy and rouse them to some great exertions, as well as inspire the other confederated neutral powers with resentment. But in this case I fear my hopes of peace this year will vanish, and perhaps all Europe get involved in a tedious war, in which America will be involved, a circumstance not at all agreeable to the general wishes of the people this way.

EDM<sup>d</sup> PENDLETON.

RICHMOND, 7 April, 1781.

DEAR SIR,— I have your favor of the 27<sup>th</sup> past, which gave us the first certain account what had become of the French fleet since the engagement off our capes. It is however confidently affirmed that the British took a 64 or 74 and have her now with their fleet. I do

not believe it unless it be one not belonging to the fleet engaged, picked up at some other time, and that is very improbable.

Reports continue uncertain as to the number and destination of the late reinforcement from New York; they have not hitherto made any hostile movement here, and are generally supposed to be designed for more southward operations, either by land through No. Carolina or to be sent round by water. If we are to credit a report just received, Lord Cornwallis wants their assistance, for we are told that in severe engagements on two successive days, Greene was victorious and had wounded his army severely. This comes in a letter from a Virginia officer to his lady, which had been read by a gentleman from whom another gentleman had it who brought it here, both of undoubted credit; but no official account of the affair is yet brought to the Governor. It is not in the letter, but a report accompanies it, that Tarleton's legion is wholly cut to pieces, and himself killed, having refused to accept quarter. In this situation the time of service with our militia with Gen'l Greene is expired, and he will be left a prey to the enemy, or obliged to abandon his prospects and fly from victory before our men can be replaced. Do Congress mean to have the weight of the southern war entirely upon Virginia? Or suffer our main army to remain idle spectators of repeated drafts from New York to recruit the enemy in this quarter, without any corresponding assistance to us? Surely not, as it must produce the worst consequences. I am happy to find our people willing to exert themselves on this great occasion, but know they are not alone able to support this burthen, nor do I believe they will submit to be duped.

A report was circulated last week upon a letter from your city that the Empress of Russia was dead and her successor had joined Britain, which by another letter this week is improved into a junction of all the northern powers with that court, but as you did not mention it, I am satisfied 'tis a mercantile manœuvre.

EDM<sup>d</sup> PENDLETON.

CAROLINE, 16 April, 1781.

DEAR SIR, — I have your favor of the 3<sup>d</sup> and am glad to hear the Penns<sup>a</sup> line are coming, and hope the Marquis' corps or some other will be added to the southern army as I fear without it, we are not in a condition to oppose the force designed to act in that quarter. Gen'l Greene's new manœuvre I consider as a hazardous one, which may produce consequences very beneficial, or he may be overpowered and caught by reinforcements to Lord Cornwallis. I have great reliance on his prudence and foresight, and suppose he is directed by probable prospects of security and advantage. Our enemy below appear tolerably quiet and have not yet manifested their intentions. It is said they

are on board their vessels, some say going out, others up the Bay, and the Caroline militia were on Saturday called to Fredricksburg to defend the public works there and Hunters, it being said they were up Potowmack, had burnt Alexandria, and were to destroy those works in their return, by marching there from Potowmack creek. I have just heard that the alarm was mistaken, and that it was only a small plundering party, who having met with some rebuffs, were hastening down the river. They were in sight of Alexandria, but did not attempt to land.

I think our elections hitherto give us hope, that the Assembly will be improved, tho' in some instances in the Northern Neck, the contrary would appear to be the case.

EDM<sup>d</sup> PENDLETON.

23 April, 1781.

DEAR SIR, — Since my last nothing material has come to my knowledge, the fleet up Potowmack proved as I expected a mere plundering party, or if they meant anything hostile against Alexandria or Fredricksburg, they were deterred from the attempt by the preparation made to receive them. They have been alarmed at Richmond for some time past expecting another visit from the enemy, upon hearing they were in James River; I am just now told they are in possession of Williamsburg, but cannot learn their numbers, or whether they mean to stay there or plunder and return. A body of militia are about 5 miles off, but I suppose inferior to the enemy, as they did not dispute the city with them. Should they mean to take a post there, they will command the whole neck down to Hampton, and will oblige us to keep two large bodies of militia, one on each side James River, which can afford no assistance to each other, whilst the enemy, masters of the water, can throw in aid from one post to the other if there be occasion: I fear our crops, of corn particularly, will be much injured by the large number of militia already in service and yet more will be necessary unless succors arrive speedily from the northward. What is become of the Penns<sup>a</sup> line? We have been told they had refused to march southward, but since that they are expected to reach Fred<sup>s</sup> this day. Had we those and the Marquis' corps we might hope to drive off these invaders, which cannot be done by militia alone, especially ill formed as ours are. Your brother left me this morning in his way to the university, Mr. Wythe having advertised his lectures to commence the 1<sup>st</sup> of May. I expect your brother will hear of the enemy's possession of it, and return. He left the family well.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 30 April 1781.

DEAR SIR, — Since my last your two favors of the 10<sup>th</sup> and 17<sup>th</sup> have come to hand together, a week's mail having failed to come to

Fredericksburg on account of the enemy's being up Potowmack, and that I judge was the reason of your missing my letter of that week, which has probably since reached you. I hope I give all the credit due to the report of the Russian junction with Great Britain when I don't believe a word of it. Such an event may take place at some future period, but the haughty temper of the latter must come down first.

You'll probably have heard of the progress of Gen'l Philips in this State. They paid a visit to York and Williamsburg, where they behaved civilly enough, doing little or no mischief. Our militia at the latter place consisting of about 800 men under the command of Col. Innes, knowing they had sent a large body to land up James River to cut off his retreat, very prudent retired in time and crossed Pamunky at Ruffin's Ferry. The enemy remained but a few days at Williamsburg, went up James and Appamattox river, landed at Cedar Point, and marched to Blandford, where Gen'l Muhlenberg, who had come up by land on the south side of James River, and was joined by some militia of the neighborhood to the amount in the whole of about 1500, was posted to oppose them; a warm conflict ensued, which lasted about 25 minutes, in which I am happy in assuring you, our militia discovered a bravery which would have done honor to veteran troops, and gives a happy presage of our being finally able to repel these invaders. It was with difficulty that the general could bring them off, when he judged it prudent to do so, and they retreated in good order with their cannon to our camp at Chesterfield Court House. As I have seen no official account, I can only give you that I have had from different persons who were in the action, and say our loss in killed, wounded and missing is about 100. They speak from conjecture only when they say they must have killed at least 200 of the enemy, but I think our marksmen must in that time have done very considerable execution, and left them little but the name of victory to boast of. Reports are various and uncertain as to their motions since the action. At one time they are on their march to Richmond, and at others that they are at Manchester, on the opposite side of the river. I wish they may persevere in their intention to possess our capital once more, as I think a good account will in that case be given of them, but I rather suspect they are showing such an intention whilst their vessels load with tobacco at Petersburg, and then they will go to the mouth of Appamattox and ship themselves for Portsmouth. Innes with his body of men has joined Col<sup>d</sup> Wood, who had another at Richmond that is daily reinforcing, but to crown our hopes the Marquis's troops would reach that post or last night. I had the pleasure of seeing them as they passed, and they are indeed a fine body of men. I anticipate the spirits their appearance must give our militia, and I hope in my next to be able to give you some pleasing intelligence.

EDM<sup>d</sup>. PENDLETON.

CAROLINE, 7<sup>th</sup> May, 1781.

DEAR SIR, — I have your favor of the 24<sup>th</sup> past which contained an in much intelligence. From the various accounts of French and Spanish Fleets they would almost appear to cover the seas in Europe, America and the West Indies, and when the promised spirited exertion of the Dutch is added, we may hope our cruel and haughty enemies are on the eve of being reduced to reason at least; more especially if our present current report should prove true, that the Bank of England has become Bank-rupt. And if it is not, our author must lie wilfully, as he affirms he read a full and circumstantial account of it in a London and in a New York paper. I shall be impatient to receive your next paper on that account. Perhaps that may have changed Sir Harry Clinton's purpose of coming southward, since we are told by some officers just come from your city, that he had not left New York.

General Philips in his way up James River at Williamsburg, and all other places, affected to shew great lenity, avoiding all private injury or even requiring paroles from individuals not in arms. The affair at Blandford was not so considerable as I wrote you, the number killed not exceeding ten on either side. Our militia, however, behaved well, since there were not above 500 engaged against 2000 at least, whom they fought for two hours and more than once produced disorder in their ranks. The arrival of the Marquis's corps was critical to save Richmond, which I believe the enemy meant to occupy. They even meditated an attack on the Marquis on this day sen'night, when Arnold was detached with 1500 to cross below and begin an action with the Marquis's left wing, whilst Philips was to cross from Manchester with the remainder of the army and attack his right. Part of Arnold's troops had crossed when Philips was induced to recall him and stop the affair, on information that Muhlenberg was coming down the south side James River with a large body of militia, which, however, was a mistake for he came down on the north, and was ready to have received Philips, if he had attempted to cross. There was then an end to Philips's good humor, and he began with burning the warehouses in Manchester, as he did before and after all those on that side from thence to Islandford, containing, it is said, about 1500 hogsheads. They went down the river sweeping all the slaves and other property, and pillaging and destroying houses, in which business they had got as low as Sandy Point on Friday evening last; our army is marching down on this side, nearly opposite to them, so that I believe they will not call again at Williamsburg. Their plunder is immense, particularly in slaves, of whom the vessels lately up Potowmac got a large number also, and a vessel lately at York Town ship'd 360 from that neighborhood, so infatuated are these wretches that they continue to go to them, notwithstanding many, who have escaped, inform others of their ill-treat-



ment. Those who are not sent off to the West Indies being kept at hard labor upon very short allowance, so as to perish daily. We have a good body of militia in the field joined to the Marquis, so that we should not feel the enemy, if we could bring them to action; but the situation of our rivers whilst in their power will unavoidably enable them by running from one to another, to do much mischief to individuals, and plunder now appears to be their mode of warfare in all parts. I hope their marine dominion will not be of long duration, and then we can fight them on more equal terms.

I have heard nothing respecting Gen'l Greene for a long time. One Lawson I hear is setting out with a body of militia to join him. I wish he had also the Pennsylvania line.

EDM<sup>d</sup>. PENDLETON,

VIRGINIA, 14 May, 1781.

DEAR SIR, — I was disappointed in receiving no letter from you by the last post, which was the greater, as I was anxious to be satisfied about a piece of intelligence which had been related here by a Baltimore merchant, a particular account of which he affirmed he had read both in a London and New York paper, that is, that the Bank of England had failed. However, as I can [not] find that any other person hath seen such an account, or even heard it otherwise than from him, I conclude it to be some Hum, though I am not able to develop the wit or policy meant by it; unless that he was not a warm friend to America, and intended to sneer at that confusion in our paper which I am concerned to hear happen'd about that time, from some State finesse between Pennsylvania and Jersey: pray how was that affair and what consequences have attended, or are likely to result from it, since we can place very little confidence in accounts which trading men give of money matters.

Since my last, Gen'l Philips after going as low as James Town suddenly tacked about and sailed up to Brandon, where he landed his troops; the Marquis and General Muhlenberg with a body of militia crossed James River, leaving Gen'l Nelson with another body on this side to watch the motions of the enemy, and give him notice if they should recross the river below. But Philips reached Petersburg before him, and Lord Cornwallis being as is said near Hicks's Ford, about 45 miles from that Town, the Marquis found it impracticable to prevent their junction and returned to Richmond, where I suppose he will collect all his force to oppose them. But what his or their united force may be, I know not. We are impatient for the arrival of the Pennsylvania line, since, though our militia are going cheerfully to the scene, I fear they will be but badly armed. The Assembly have adjourned to Charlottesville that their deliberations might be undisturbed. They

will be in poor quarters, and some speak of going from thence to Staunton, others to Fredericksburg. The day they have adjourned to is the 24<sup>th</sup>.

We have been uneasy about the fate of Gen'l Greene, as his last letter to the Governor mentions his finding Cambden much stronger both in the works and garrison, than he expected to find it, so that he had little to hope and much to fear. Since then we are told that a Mr. Willis is arrived from his camp and relates an action has happened, with the following circumstances: "that a deserter from Greene informed Lord Rawdon his artillery was not come up, which induced his Lordship to come out in force to attack Green, whose artillery, however, came up just before and a battle ensued which lasted 5 hours, when both armies retired and encamped on the ground they had respectively occupied the night before, and Greene expected the fight would be renewed next morning; the enemy however retreated, were charged in their retreat by Col. Washington, who killed and took 250, making up their loss in the whole 600 killed, wounded and taken; Greene's loss about 200." This is Willis's account, who is said to be a gentleman of credit; he adds that a few days before Greene had intercepted about 300 Tories going into Cambden, and killed the greatest part of them.

If these things be true, I hope Greene is in a better way than he and we feared he would be, and I am not able to account for the policy of Earl Cornwallis having left those States in such a situation and come hither, unless he has a mind to add Virginia to the roll of nominal conquests.

EDM<sup>d</sup>. PENDLETON.

Col<sup>o</sup> R. H. L. declined taking a seat in the Assembly. I am told Mr. Henry is not elected. I suppose he declined also.

Cornwallis is at Halifax. The Marquis has crossed Appomattox above, to march down on Philips. The Militia go to Petersburg on this side.

VIRGINIA, 21 May, 1781.

DEAR SIR, — Your obliging favor of the 1<sup>st</sup> hath raised my curiosity; yet I cannot but approve your caution, and notwithstanding my keen appetite for news I would rather be the last man in America to know an interesting thing, than that our cause should be injured in the smallest degree by my knowing it first. And I think I told you formerly, that I entertained too high a sense of your honor to expect or desire you to communicate any secrets of your body. It gives me satisfaction to find that European politics wear a favorable aspect for America.

I have read the Pennsylvania law for giving Congress a revenue independent of the individual States, and cannot but much approve the spirit of it, not only as it tends to give more stable dignity to that great Council, but the subject of taxation promises an additional cement to the

union by interesting each state in some degree in the trade of the whole; two doubts appear to me to arise upon the propriety of this act, however, which I mention that you may, if it can be done, remove them and prevent what may otherwise prove some obstruction to the passage of a similar act here, as I mentioned them to a gentleman of our Assembly who meant to be a warm advocate for such a law. 1. The law is perpetual, and as it is in general a dangerous policy to lay such a tax, so it appears to me particularly wrong to do so in the infancy of states and upon an opening trade, when no just estimate can be made of what it may probably amount to, when that trade comes to maturity. I should rather think it should be for a term only when experience may teach whether it is proper to continue, increase or diminish it.

The 2<sup>d</sup> objection is to the mode. The law says it shall be "levied and collected as Congress shall direct." Now how can Congress direct and enforce the collection of this money without judiciary and executive powers which may interfere with the internal government reserved to each state by the Confederation. I should think, therefore that the law imposing the duty should point out the mode of collection and give speedy and adequate remedies to enforce the payment to such person as Congress shall appoint in each state to receive it, and to be subject to their disposition, which will preserve their uncontrollable power over the money without the other inconveniences. It might give them indeed some additional weight to have the appointment of the several collectors, but as it appears to me that they must necessarily be the naval officers, I suppose the States will scarcely agree to leave the appointment of them, who are necessary and important officers in many state affairs to Congress. You'll consider these things, and give me your sentiments upon them as soon as convenient.

It is confidently said that Clinton is arrived in our bay, but I give no credit to it; nor indeed can I to anything I hear even from James River. General Philips is certainly dead, and the command is again in Arnold, between whom and the Marquis nothing material has yet happened. How soon they may begin I don't know. Reports as to Lord Cornwallis are various. He has been said to be at Halifax, Hicks's Ford, and even at Petersburg, but now is left at Tar River in North Carolina, from whence he sent Col<sup>o</sup> Hamilton and Tarleton to Halifax without opposition. Nay they are even brought to Petersburg, but I can't rely upon any part of it; nor on the reports of Greene's being in possession of Camden, which we have had for two days.

I am told our army are well supplied with provisions at present, and I doubt not but the collection of one tenth of our cattle, lately made, and which are now fattening in the several counties, will keep up the supply through the year. We shall also furnish them with some bacon for change of diet.

EDM<sup>d</sup> PENDLETON.

May 28<sup>th</sup>, 1781.

DEAR SIR, — Since my last I have your two favors of the 8<sup>th</sup> and 15<sup>th</sup>, the former have met with a circuitous passage through several post offices beyond me. The noise about the paper money was as weak as the cause which produced it, and proves I fear that people in those parts have more at heart the making fortunes, than promoting the glorious cause we are concerned in. However, it must be acknowledged that our finance hath wanted stability and system; different states will adopt various modes of complying with the requisitions of Congress, and individuals in each will pertinaciously pursue their opinions, so as to carry at one session what they have been over-ruled in at a former, and hence arises that neutrality, so destructive of every political measure. I fear this mischief hath its origin in human nature, and that a change will be difficult. However I think Congress have taken the most promising method to affect it, in appointing this important subject to the sole consideration of one man, whose mind shall be kept free from the distraction of various objects, and from the general character of Mr. Morris the choice of him appears judicious. I cordially wish success to his endeavors.

Our people are made very angry by a report that the Pennsylvanians, instead of forwarding their troops with that celerity which their duty and the situation of things demanded, were throwing out insulting speeches that Virginia was too grand; let her be humbled by the enemy, and such like. What consequences this may produce I know not, but they will be chargeable to the companies of Landjobbers who for their own interests are poisoning the minds of the people by their fallacious publications. I am sorry that line was not forwarder, as for want of them probably the Marquis was obliged to abandon Richmond, which he left on Saturday evening and retired on this side Chickahominy. We suppose this step was occasioned by information that the enemy was crossing the swamp below, and by marching up on the Hanover side meant to cut off his retreat. However we deal in conjecture only, and if the Marquis means to avoid an action at present, it will be probably a prudent measure, since tho' his numbers would be fully equal to the most flattering expectations if they were regulars, it might be too much to risque the loss of his few valuable veterans upon the firmness of militia. Our last account of the enemy was that they had landed at Westover, and were on Saturday between that and four miles Creek, which I believe is about 20 miles from Richmond. They are said to be between 4 & 5000. 12 vessels are lately come up James River, some say they bring Lord Cornwallis's baggage and invalids from Cape Fear, others that they brought troops from New York, perhaps some of each.

A militia man just returned from a tour of duty under General Greene, and who is said to be a man of credit, reports that a few days

after the action of the 25<sup>th</sup> of April, Lord Rawdon burnt Camden and retreated to George Town, leaving behind him his own and our sick and wounded. That the Virginia militia being discharged in the evening, stayed all night, and two hours before day next morning Gen<sup>l</sup> Greene marched with his army, he could not tell which way, but supposed towards Georgetown. If this deserves any credit, I suppose you'll have an express from the General.

I am glad to hear Mr. Jones is returned to Congress on more accounts than one. I shall write him by this post and hope he'll relieve you from half the labor of corresponding with

EDM<sup>d</sup> PENDLETON.

Perhaps my next may be dated from the mountains.

MOUNTAINS, 6 July 1781.

MY DEAR SIR,—I think my last to you was the 27<sup>th</sup> of May when I prophesied that my next would be probably dated from hence. It was on the day after that, more to comply with the earnest importunities of my neighbors, than influenced by my own judgment or inclination, I took flight from Caroline with a few slaves and necessaries to enable me to exist, if what I left should become a prey to the enemy. Our neighborhood, however, happily escaped the hostile visit hitherto, and I hope will yet do so, unless some reverse of fortune or change of circumstances should change the present disposition of the enemy or the Marquis's army. After the hurry of spirits which usually attend a precipitate flight were over, I have enjoyed some pleasant hours with my friends, amongst others, a few happy days at your Father's, who I was glad to find enjoying fine health, after being many years without seeing him. Tho' I was the less surprised at it, after experiencing the salubrious air of his fine seat, not to be exceeded by any Montpelier in the universe. I wish you would hasten peace, that you may return to the influence of it upon your crazy constitution. In this happy retirement I regret nothing but the dearth of news. Your last favor was the 29<sup>th</sup> of May. There are probably others below which have not reached me. You have been at much pains to remove my objections to the mode of the Congress duty. I wish they may operate as forcibly upon those whose duty it is to give effect to the measure, as on me, who tho' I think them still founded on propriety in general, must yield to the necessity of giving stable credit to Congress so far as their engagements require, which greatly overweigh in consequence any possible inconvenience on the other side. I am not overjealous of power, but my creed is to withhold from no public body so much as is necessary to their appointment, and give them not an iota that is unnecessary. Upon this rule should I determine was it my province, upon our demand of Congress. It is time however I quitted this sub-

ject by begging pardon of Congress for supposing these difficulties which had been so fully discussed, had escaped them.

You'll probably have by this post a much better account of the enemy than I can give you at this distance: when I last heard of them they were supposed to be between Williamsburg and York, and their light horse plundering in Gloucester. Their intentions whether to fortify at York, where their ships are, or leave us, or change the scene of devastation, not yet discovered. They have had a small skirmish which ended to our advantage, and I am told our militia are full of ardor for a battle.

The profitable trade opened with Spain and the metallic returns give a flattering prospect of having our finances on a better footing, and will soon abolish our paper and all inconvenience and iniquitous speculations upon it, towards which Mr. Morris bank appears to me a promising aid. Our Assembly have stopped the circulation of the old notes, except to the Treasury, and even the new 1 for 40 are not to be issued but by order of the Executive; I wish they could also have avoided the expedient of emitting more State money.

Pray what are the powers of Europe doing? are they holding a Congress at Antwerp? or has the contest between France and Britain whether America shall have a Plenipo there, or be entirely excluded from any consideration in the pacific plan, put an end to it?

EDM<sup>d</sup> PENDLETON.

CAROLINE, 23 July, 1781.

DEAR SIR,— My last to Mr. Jones informed you of my return home from a fugitive trip of near two months, which however I spent very agreeably among my friends above, after the retreat of Lord Cornwallis had quieted the minds of people in that quarter. I found my property here had escaped the enemy, though some small depredations were committed by my domestics or neighbors, perhaps both. It is strange that I don't yet know the present situation of the enemy, tho' we hear daily from our army. One day Lord Cornwallis was on shipboard, going to England in disgust; the next going or gone to New York to take the command in the room of Sir Harry, who had sailed for England: at one time his infantry were divided, half gone with the light horse to Carolina, and the other to Portsmouth. Now we are told the whole infantry are at Portsmouth, and the cavalry at Petersburg, a few days ago, on their return from Amelia, where they have been plundering; so that nothing certain can be collected from this loose account. Perhaps these may be thrown out for amusement, whilst they mean to draw the Marquis over James River and then come up Rappahannock or Potowmack, and ravage easily. I should have no thought of their leaving this State, if it were not for an idea

that New York is to be invested by the commander in chief, which may call this detachment to its defence. We have a loose account of an action near Kingsbridge, in which we had the advantage, but no particulars.

Augusta is certainly taken, and Gen'l Greene since his retreat having collected his various detachments, returned upon Lord Rawdon. We have a report (not to be relied on indeed) that they have met and had a warm conflict in which his Lordship had 300 killed, wounded and taken.

It is also said that the Spanish fleet since the surrender of Pensacola has been seen at Tybee, supposed to intend expeditions against St. Augustine and the Savannah at the same time. Our troops from Charles Town are arrived at James Town, and all the privates tho' but few officers, exchanged. The ranks muster thin, many having been induced by the usual artifices of threatening, wheedling and l—y—g to enlist with the enemy, out of whom they have formed a fine regiment which is gone to the West Indies.

I believe the account given in the Pennsylvania Packet of the reinforcement to Charles Town was just, and that they did not amount to more than 1500; those it seems were in very ill humor, and about 60 or 70 soon got killed on their march, the rest became very sickly.

We shall now listen for intelligence from your quarter, as very interesting events are in embryo there. What is become of the European Congress, and the fleets and armies of our allies in the West Indies, Cadiz and Brest, &c.? . . .

EDM<sup>d</sup> PENDLETON.

EDMUNDSBURY, 6 August, 1781.

MY DEAR SIR,—Judge of my anxiety at having passed two long weeks without a line from you or my friend Jones's at so critical a juncture, when we hear a busy and important scene has opened to the north. The disappointment one week has been accounted for by the loss of the mail in or near Wilmington, the other I hope did not proceed from your sickness, as I recollect it was your turn, since I would rather it should have any other cause. Perhaps the danger of the mail may make it improper to communicate any intelligence at such a time. If so, continue your silence, as I would forego that or any other pleasure rather than risque the smallest injury to the cause.

The enemy we are told remain here, their vessels some in York River and others in Mock-Jack Bay. They have landed in York and Gloucester, and are plundering; whether that or a more extensive plan be their design we are yet to learn. In the meantime the Marquis is on the branches of York River, watching their motions, expecting for some time past they intended up Potowmack, or up the

Bay to Baltimore or the head of Elk, and inclining his march northward on that account, to divert which may be the design of the enemy in their last landing.

Nothing to be depended on hath been handed us from General Greene since the collecting his scattered detachments had enabled him to look the enemy in the face. You have probably better intelligence of him than we. Our militia keep the field, and perform their regular tours of duty with alacrity, and I fancy the enemy find recruiting a dull business here. Our crops are promising and I hope we shall be able to feed the army and those who have met devastation from the enemy.

EDM<sup>d</sup> PENDLETON.

EDMUNDSBURY, August 27, 1781.

DEAR SIR, — Finding on my return from a visit your kind favor of the 14<sup>th</sup> with one from Mr. Jones of the 7<sup>th</sup> and not recollecting which I wrote to last, I determined to pay my respects to both by this post, without expecting an answer but in the ordinary rotation.

We had begun to flatter ourselves with a quiet fall from the departure of the British troops, when we heard of their embarkation, but it has vanished upon their relanding and shewing their purpose of taking a stable post at York and Gloucester Towns. Whether this extraordinary measure was intended to deceive the Marquis into some security which might give them an advantage, or that they really had a purpose of going elsewhere, which was changed by circumstances, must be left to mere conjecture until they or time shall discover their secrets. Their stay, however, must prove either that they think neither N. York or Charles Town want their assistance, or that they would pursue their prospects here at the risque of those. What I know of their and our situation I have mentioned to Mr. Jones, but doubt not you have better accounts of it from camp.

The recapture of the fleet conveying the Statia plunder, is a very agreeable piece of intelligence. I am sorry it was accompanied by one of a very different aspect, the removal of Mr. Necker, whose distinguished abilities and integrity in discharging the most important office in his nation, have been celebrated even by its enemies. However, men are frail, and all courts have intrigues, and from one or both of those sources was his fall derived.

We have been so often disappointed in accounts of fleets coming to America, that I have learned to pay little attention to any report of that kind, otherwise I should think the ships at Hispaniola might make a safe and useful excursion to the American coast during the hurricane months, should they do so they will be welcome guests however unexpected.



The separation and independence of the people of Vermont is a very serious and unlucky affair, which I wish there had not been occasion for Congress to decide on. The people had great reason to complain of injustice, from which they appeared to have no prospect of relief but in a separation from the State of New York, whose government had done them the injury; and yet to divide a State at the request of some members of it, against the will of a majority, or indeed admitting a power in Congress to divide at all, will establish a precedent that may prove a source of much mischief at some future period. This business like agrarian laws which please the poor and chagrin the rich, will probably be pleasing to the small States and disgusting to the large, and so produce dissensions amongst us. However, as it is ever good policy when evils are inevitable to choose the lesser, these objections may be greatly outweighed by those inconveniences which would attend the rejection of their petition, and may justify Congress in the step they take. A case like this may never happen again; yet precedents of power especially, are of such a ductile nature, as to be extended to any purpose a majority shall wish. I suppose our friend Etham will be one of the first Vermont members.

The brave general Campbell of our militia, who commanded at King's Mountain came ill from our camp, and died last Wednesday in Hanover, much lamented as a valuable officer and man. Morgan is also gone home sick.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, September 10, 1781.

DEAR SIR, — Very little important hath happened here, at least that has come to my knowledge, since the great event of the arrival of the Fleet and army of our good ally in Chesapeake. It was supposed that Earl Cornwallis would on their arrival have endeavored to effect an escape to the southward over James River; but whether the precautions taken by the Marquis to prevent him, or his confidence in his own strength, or in being timely reinforced, influenced his stay, I know not; but so it is that he must now abide his fate at York Town, the French troops having landed at James River and joined the Marquis, so as to cut off his passage out of that neck so long as he is deprived of the dominion o'er the waters; and tho he might cross his army over into Gloucester, where we have a body of militia, he could not that way expect to escape, since tho they are not strong enough to oppose his way in the field, they might harass their march, until a sufficient force could get above them, and take them in that neck; but this I think they will not attempt, since by such a step they would immediately sacrifice all their vessels, which at present lie up York river above the town.

I hear that a party of militia a few nights ago took a small picquet

and eight light horsemen between Williamsburg and York, since which it is said they have called in all their picquets, and keep their swarm of negroes busily employed in intrenching and fertifying. I suppose they have gleaned all the provisions in that neck; in Gloucester our militia have removed most of the stock and disrobed the mills in their neighborhood, so that they will draw little supplies from thence, and I think can't have any considerable stock. Deserters say they are provided for six weeks only. We hear a large number of men are coming hither from the northern army. Our mills are impressed to grind for them and our allies, but a remarkable drought render most of them in these parts useless. We have accounts from the southward, that General Green's army was moving towards the enemy on the 18th past, which, if true, indicates an increase of his strength or diminution of that of the enemy, since on the 15th. his army was only thought able to act on the defensive. We expect here to have a busy autumn, supposing this is to become the seat of war, since the Commander in Chief is to honor us with his presence; we are daily in expectation of his arrival by land, tho we are told the troops come by water down the Bay; I hope they will not meet with such a disappointment as the Marquis and his troops experienced in that voyage, tho we are told that the enemy give out that a superior fleet will soon drive off the French. Of such a fleet at New York we have various accounts, some say they are 29 sail of the line, others 23 only. If the former and they can all venture to leave that station, I judge that the prior possession our friends have of the Bay would quiet their apprehensions of danger from an attack. But can they venture to draw all their fleet from New York, and leave the French fleet behind them at Rhode Island? I think upon the whole that we must have this army, which will go a good ways towards destroying their American force and give us peace.

The French have Lord Rawdon, two colonels and some other British officers taken on their passage from Charlestown to London.

EDMD PENDLETON.

EDMUNDSBURY, October 8, 1781.

DEAR SIR, — I have your favor of the 18th past and felt the justice of your remark as to the benefits derived and in prospect to Virginia from the presence of the commander in chief and the fleet and army of our allies, whom we are exerting ourselves to feed, and hope they will not suffer in future. A little they have experienced, without murmuring. They meet every mark of respect they so justly merit and great cordiality prevails in the army.

Don't you think our citizens are patriots indeed, who patiently submit to have their provisions seized and paid for with a bit of paper called a certificate, when they might have specie for it from the French?

Some great men evade the seizure and sell, and this will occasion opposition and compel government to take just and equal proportions, which has hitherto yielded to official ease and convenience. These citizens, nevertheless, are the objects of certain cabals your way to do them injustice.

Pigeon Hill, on General Nelson's farm near York, was strongly fortified by the enemy, who gave out they would warmly defend it as an eminence which commanded the town. It was attacked about a week ago, and evacuated with little resistance, as was also another outpost on the river about a mile below, so that their whole force being within their confined wall, may be literally said to be drawn to a point, having little more ground than they can stand on; I mean all their force on that side, for some yet remain in Gloucester, who under the command of Dundas and Simcoe, went out last week in search of plunder, but were driven back with some small loss by the French legion.

We are told our great bomb battery was to begin to play last Saturday, and that sanguine officers promised themselves a surrender in five days. The north and western winds have hitherto prevented the French from passing any ships above York, in consequence of which the British had the command of the river above, but as they were quite inactive, and a report prevailed that their vessels were unrigged, ungunned and unmanned, we have carried provisions for the army down that river to Williamsburg, unfortunately a good deal of flour and corn were lately taken, and increased their stock of provisions.

I am sorry to hear the Spaniards have again mounted their hobby horse, because our good friends must get behind them. However we cannot complain whilst we find our ally able and willing to give us such substantial assistance, that at the same time he can take an airing with another friend. But is it true that we are to reward this friend of our friend (for I believe that is all Spain pretends to) with a cession of such inestimable importance to us? I really thought that matter had stood upon a resolution of our Assembly never to make that cession. I am now told they relaxed it so far as to leave our delegates at liberty to yield it, if they judged it necessary. It is said further that the Court of Spain never desired or thought of it, but it is one of the fruits of the cabal against Virginia, and by their contrivance the requisition was made by your minister to Spain. I always had a good opinion of that gentleman, and wish for the sake of his character as well as other reasons, it mayn't be true; but if it is, his being recalled and sus. per coll. would be a small recompence to the public for such a conduct.

I was in hopes the possession our friends had of the Bay would ere now have produced some vessels, particularly with salt, which we much want; but have not heard of any. Perhaps they may be below.

EDMD PENDLETON.

VIRGINIA, 8 December, 1781.

DEAR SIR, — I thank you for your favor of the 13th. past. Of the territorial cession offered by Virginia I have perhaps already said too much and shall only add that if there were twenty claimers of my land, and each offered a cession of their title without any consideration I should think it common prudence to accept them all, and thereby avoid the disagreeable necessity of deciding which of them was entitled to a preference; nor can I conceive what harm the Virginia cession would have done the United States upon the supposition that New York had a better title. Whether our assembly have taken up this subject, or what they are doing I don't hear, except that I am told they have a great defaulter in a little officer under examination, who is accused of having pocketed £200,000 by shifting certificates and taking to himself the depreciation on them. It is Hopkins who is the Commissioner of the Continental Loan Office and has something to do in our Treasury. Conjectures are various upon the probability of his being acquitted or condemned. The Governor has resigned, probably vexed to see his great popularity so suddenly changed into general execration, for having, by his imprudent seizures, intercepted the specie that was about to flow amongst the people. That measure has proved in other respects most mischievous, a great quantity of beeves being carried below more than were immediately wanted, took the distemper which raged there many years ago, and began to die fast. Instead of killing and salting them up which remained, as would have been obviously right, they were driven off for Winchester to feed the prisoners, and I am told are dying daily and spreading the infection on the road. I hear, but not certainly, that Mr. Harrison, speaker of the Delegates, is elected Governor in General Nelson's stead. I have no doubt but they will pay some handsome compliment to the Marquis so justly due to him, for the important services Virginia experienced from him. And as she was so immediately interested in the great event at York, perhaps the Assembly ought to extend their gratitude in thanks to the General and the army of our great allies who effected it.

I have long given up Deane as an unworthy man whom I thought much otherwise when I served with him in Congress. I thought he was taking some steps injurious to America in an improper commerce, and thought avarice his greatest crime, not suspecting him of apostacy from our cause. There is one circumstance rather against the authenticity of these letters, that in case of a bargain with them they would not have exposed his letters. However, there is no reasoning from their blunders. I do not hear who is Governor of Pennsylvania; does Mr. Reed retire, or is he in any active department? Is Mr. Blair got to Philadelphia? My compliments to him and the others.

EDMD. PENDLETON.

CAROLINE, 19 November, 1781.

DEAR SIR, — I am now to thank you for your favor of the 30th. past. The official returns of the conquest at York make our prisoners much more than was expected, and I think prove that Lord Cornwallis did not make so brilliant a defence, as his former military character indicated. However, any exertions would probably have been ineffectual to any other purpose than increasing his fame and sacrificing the lives of men on both sides. Our other acquisitions were considerable, and I am inclined to think should have been more so, if the generosity of our illustrious general in the terms of the capitulation, had met a suitable degree of honor in the execution on the part of the enemy. As these officers must carry the proof, tho' not the first tidings of this change in their American affairs to the Parliament, I anticipate with pleasure the effect it will have on their deliberations, and the long faces which will appear on the ministerial side of the House. Is it possible they can retain a wish and much less coin a *plausible* reason for continuing such a war?

I find your *brood* committee have at length *hatched* a report, and though it seems probable from circumstances that it may not be agreed to at present, yet what is the consequence? It will I suppose lie on your table and be ready for all the operations of intrigue, party and finesse. Our Assembly had not formed a House when I last heard from Richmond, which gives no good presage of the wisdom of the session. I cordially wish they may disappoint the omen, and verify the old adage by giving proofs of wisdom and stability equal to their slowness. I am sure much is required of them at this juncture, particularly to meet this torrent of unfriendly dealing in a proper manner, without giving hope to the enemy of a disunion, which might protract the war.

As we have not a confirmation last post of the capture of Rodney's fleet, I am afraid it was premature. I am told the Count de Grasse has at last sailed, but hear nothing of the British Fleet, which may be gone out of his way.

We have a loose report that General Greene has had a battle and been defeated in consequence of a considerable reinforcement lately arrived at Charlestown, but it does not come so as to deserve credit any more than one of a contrary nature, that they have evacuated Charlestown.

EDMD PENDLETON.

VIRGINIA, 31 December, 1781.

DEAR SIR, — Since my last Mr. Jefferson's honorable acquittal of the loose censure thrown out at random on his character, hath come to my hand, which I doubt not you'll have published in one of the Philadelphia papers, that this stain may be wiped out wherever it may have

reached. I am assured by a member of the assembly that it was entered unanimously in the House of Delegates, and he believes in the Senate, tho' the clerk has omitted it in my copy.

I am told Gen' Nelson will also receive a vote of thanks and approbation of his conduct, from a conviction that what he did wrong was imputable to a mistake in his judgment, and not from a corrupt heart. I am satisfied of the integrity of his mind, but whether that should intitle him to more than indemnity, I doubt. However, I have no uneasiness at their going further.

The business of finance hath at length ended in a bill for funding all our paper, which ceases now to be a tender, and is to be brought into the treasury before October next and burnt. Certificates are to be given in specie at 1 for 1000, payable in 1779 (*sic*) and to bear interest in the meantime. All former payments are to stand as made, but a scale of depreciation is fixed for adjusting all subsisting money contracts. A rider was added by the delegates to compel the receipt of all paper tendered and refused, but it was thrown off by the Senate, as mounted to serve the particular purpose of a Delegate.

The scheme of taxation is one per ct. on lands, 10 /on slaves, 2/ on horses, and 3<sup>d</sup> on cattle, also 1 per ct. on all goods imported. The law for empowering Congress to lay their tax is suspended, upon information that other States had not acceded to it. The Governor, however, is empowered to give it force again, upon receiving proofs of the agreement of a majority of the States to the measure. They have thanked all the officers, and particularly the Marquis, to whom they have voted a bust, but have done nothing in the recruiting business or Western country, and it is thought will not, as they mean to adjourn in a day or two, if they can keep a house even for that time. Mr. Jefferson, I am told, declines coming to Congress, nor do I learn that they purpose choosing another in his room.

EDMD. PENDLETON.

Who commands at New York? Does Sir Harry, continue, or obey the order for his recall?

VIRGINIA, 28th. January, 1782.

DEAR SIR, — I have your favor of the 8th. The objections your bank was to encounter had not occurred to me, since if such a measure was useful, it seems necessary that Congress should have power over the regulations which were to direct its operations, it being of general and not local concern, and as the confederation had not given such a power, the medium adopted appears to be the proper and indeed the only resource: to call for the individual confirmation of the States, to the granting which I see no possible objection, but on account of the restriction in your scheme upon the institution of State banks, which at

some future day may become useful and necessary. Whatever evils may have been experienced, and ever will be, from a redundancy of paper credit, yet my opinion is that the history of all countries as well as the reason of the thing prove that the circulation of a moderate quantity of paper may be made in every country without danger of depreciation and with many advantages to commerce and business even superior to the precious metals. Its locality, the principal source of objection, has its use in preventing that stagnation in a circulating medium, which in the flux and reflux of the metals will unavoidably happen, especially since the merchants have practiced the import and export of these as a subject of trade, as they rise at one market and fall at another, instead of a mere medium or representative of balances in barter. Of all kinds of paper circulated as the representative of money, that of a bank has undoubtedly the preference, because it has a real constituent, a stock of cash deposited and kept always ready to take its place when any foreign purpose shall make it necessary; whereas if we were asked what our late paper represented, candor would compel us to answer, what it has come to, nothing. I can foresee that when the mass of paper is totally annihilated, and before a general free trade takes place, we may be distressed for a sufficient medium of commerce, and might prefer a bank scheme to any other, and why should we be restrained? If it be said that the States might increase their bank so as to answer the purposes of all the States in the union, I answer that a general and equally valuable circulation of bank notes can only prevail to a certain distance from the bank; as the difficulty of access to that is increased, so will the value diminish, till a total stop is put to its circulation. For instance, suppose a man at Charlestown with a bank note applying to a foreign merchant to purchase goods, he would refuse it, since in vain would the holder say you may have gold for it by going to the bank, since that would require another voyage, not a very short one, to accomplish. In Philadelphia the note would be taken with avidity. The notes of the Bank of England circulate indeed to a great distance, but so does the trade which centers in London; and yet that Bank has no such exclusive restrictions. A multitude of other banks subsist, and with other mediums supply all occasions of commerce without experiencing inconvenience. That is not the case in America. Philadelphia is not nor ever will be the center of its trade, tho' a considerable branch, and remittances from the different States will be much oftener wanted to other parts than to that city.

I hope the States will comply with the recommendation respecting the forfeiture of British goods, since 'tis a most ungrateful and impolitic abuse of the kindness of our allies to throw the money they so generously supply us with, into the hands of their and our enemy, to the

neglect of their trade. Wisely and prophetically did honest General Gadsden say to Congress in 1774, "Take care, or your liberties will be traded away."

By letter just received from Genl. Greene's camp of the 28th. past, I find he was alarmed for his situation, having certain and authentic accounts that the Cork fleet with 4 regiments of infantry, and two of dismounted dragoons, victuallers and store ships, and 3 regiments from New York, were seen on the coast going in Charles Town, which would give the enemy a superiority that would oblige him to abandon the country to their ravages, or sacrifice the remains of his brave little army — a dreadful alternative.

EDMD. PENDLETON.

VIRGINIA, February 11, 1782.

DEAR SIR, — I have missed two posts to get a letter from you, which proceeds from the Susquehannah being frozen which stopped the passage of the post; the mail, however came to Fredericksburg last week, but only brought an old letter from Mr. Jones.

We have been amused with contrary reports concerning the arrival of a large reinforcement to the British Army at Charles Town, Genl. Greene's account of them amount near 5000, has since been contradicted by officers from his camp, who say no troops came from Ireland, and all who got there were the 3 regiments from New York. I yet think these gentlemen were under a mistake, and that Greene's relation was too well founded. We are just now told by a gentleman from Philadelphia, that the enemy had certainly evacuated New York. I am impatient to have a confirmation of this, and to hear their destination, which I suppose either to the Southern States, or to the West Indies. We are just going to celebrate this anniversary of the General's birth, and so cannot add but that I am &c.

ED. PENDLETON.

VIRGINIA, 25 February, 1782.

DEAR SIR, — I have your favor of the 7th. and regret the irregularity of the post which has deprived me of some and delayed others of your agreeable letters. However I comfort myself with the reflection that the frosty season is nearly over, and that our correspondence will soon become more regular as well as interesting. I shall anxiously expect every future post to bring some accounts of the effects in Europe of the great event at York, which I think the first arrival from that quarter must certainly bring. Nothing of the sort has yet reached us. We have a loose report of a severe engagement between General Greene and the Enemy, in which both sustained great and pretty equal loss, but it wants credibility and probability. We are making our drafts to reinforce him.



I wish you out of the thorny tract into which the Vermontese have led you; I fear they are more like to produce that kind of fruit than olives, and may require severe amputation. Why should any alteration be made at present in your scale of contribution for each State? Since it is in its nature temporary and subject to adjustment according to that rule which shall be established when peace shall afford time and opportunity for a proper investigation. The attempt now to change the rule which can't be made definitive, if it is not suggested by some party views, is calculated to produce dissensions, of which we have enough. If indeed the rule could now be finally fixed, it might be probably done with more temper than when we are freed from the dread of a foreign enemy, and I am persuaded that it would have been more justly and peaceably settled in 1776, as was intended by Congress the year before, than it can be now, or at any future period, as the true spirit of union was then more predominant than it has been since, or will be. But as it was then put off, and a mode adopted subject to a future account and regulation, I cannot think it prudent to change that mode for another temporary one. In the meantime, I do not see why the accounts should remain unexamined; the several articles furnished by each State may be examined by the vouchers and fairly entered in a general account with that State, and be ready whenever the proportion is fixed, to form the aggregate sum to be proportioned, when in one article each state may be debited for its share, and the balance discovered. If this minutiae of the account is neglected till the end of the war, I prophecy it will never be settled, but like the contents of the Irish treasurer's waggons, will affrighten Congress out of the attempt, especially as it will probably be the interest of some states to drop all accounts and to burn the books, as the saying is. Since I am reduced to the borrowing an expression from old Boniface, it is time to stop, and tell you that I am &c.

EDM<sup>d</sup>. PENDLETON.

VIRGINIA, 11 March, 1782.

DEAR SIR, — I am to thank you for your favor of the 25<sup>th</sup> past, in which you have removed my objections to the bank scheme by proving that it was founded in error. The King of Britain's speech and its doubted echo, do not breathe the spirit of peace with America, yet I think they tread that ground very tenderly, and suddenly fly off at a tangent to the East Indies in search of a subject of consolation. If your intelligence be true respecting the present state and prospect of their affairs in the West Indies, I think no success they can have in the east will save them from the necessity of peace.

I have a letter of the 24<sup>th</sup> January from Gen<sup>l</sup> Greene's camp at Jacksonborough, 36 miles west of Charles Town. All was quiet, and

no reinforcement to the enemy. What gave rise to the report of such, was the return of some convalescents who had been to New York to better their health. The Assembly was then sitting and had passed a law for confiscating British property, and that of the Tories who had joined and remained with the enemy. Most of those of note who had taken protection, have joined us, and some of the refugees to Charles Town have shipped themselves and property to Britain, an omen that they at least have small hopes of being relieved. 30 sail of ships under convoy of a frigate had just sailed with that sort of cargoe.

I have no doubt but the debates on the speech and addresses must be entertaining. The event at York was too good a subject for the opposition to gall administration with, for them to let slip, and no doubt they shone in it, though they cut no figure in the vote.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, April 15, 1782.

DEAR SIR,—I have your favor of the 2<sup>d</sup> and agree with you that the expostulations of the friends to Virginia will be properly interposed, and the clamors of her enemies well applied, if both together will effect the rousing her to proper exertions for recovering her consequence in the united scale. The executive have paid attention to this important subject, and having an empty treasury have circulated a request for the prompt advance of half the land tax payable some months hence for the purpose of recruiting our line. Our County, which yields to none in alacrity on such occasions, appear willing to comply, but from conversing on the subject with several gentlemen, it is the general opinion that there is not in the county specie sufficient to pay  $\frac{1}{4}$ th of that tax, and I see no prospect of our being able to pay it at the time, tho' specific commodities where the alternative is allowed (as is the case in all but the land tax) may be had. The little cash which is picked up by us at the distance we are from the French army, immediately goes to the merchants at Port Royal or Fredericksburg, who chiefly trade on commission from the Eastern States, whither I suppose it is sent, for we see it no more, very few of them offer to buy our commodities, and when they do, 'tis at such a price that only makes us angry. Tho' there is some reason for complaint against Virginia, yet the clamors are carried to excess in respect of her line; she has contributed more than her proportion of men, and formerly devoted herself to exertions in the cause, to the neglect of trade, which other states pursued with avidity not consistent with their proportion of duty. This circumstance which enables them to vaunt and show away now at the 11th hour, prevents the present resources of Virginia to recruit her line when by an ill-judged inclination to save Charles Town, a respectable corps of

them were lost; however we must bear these insults with patience till time shall enable us to prove that the resources of Virginia, tho' they can't be called forth at any moment, are great and permanent, and that we never want inclination to employ them for the common interest.

Reports continue of the evacuation of Charles Town, and the last is said to come from the frigate arrived as an express from Count de Grasse to C<sup>t</sup> Rochambeau, with the additional circumstance of the troops being carried together with a detachment from New York to the West Indies. You'll have a better account of these things than we can have, as also whether there be grounds of truth in other accounts circulating here, that Jamaica and Antigua are both invaded by our ally, and their troops here called thither, at the same time that the Marquis d' Fayette is arrived at Boston with 4000 others.

Mr. Jones tells me he is coming away and the future burthen of my correspondence will fall upon you. Should any letter to him reach Philadelphia after he leaves it, you'll consider it as addressed to you. Our Elections run much into new members, amongst others are Monroe and John Mercer, formerly officers, since fellow students in the law, and said to be clever. The Attorney might as well have stay'd with you. The General Court sat but six days on criminal business only, and I am told very little will be done in the other courts the approaching terms. Our Treasurer, Col<sup>o</sup> Brooke, died suddenly last week, I suppose with an apoplectic shock. I have not heard who is his successor.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 22 April, 1782.

DEAR SIR, — Taking up the pen to acknowledge the receipt of your favor of the 9th. an idea struck me that I had written to you last week, again transgressing the routine which intitled Mr. Jones to that letter; should it have been so, and he then and yet remaining in Philadelphia, pray present him my compliments, and tell him it was the unintentioned defect of a bad memory; perhaps I ought rather to apologize to you in giving you more trouble than was your share.

I am sorry fortune sent the frigate into Rhode Island instead of the Chesapeake, as her cargo is a scarce commodity here; however her escape and safe arrival any where, is matter of joy; as is the account of her companions from Brest, of whom I think we shall soon hear something agreeable. The discovery of a mistake in the capitulation of Brimstone hill pleased me much, as the copy I first read, corresponding with that of the Spaniards in Florida struck me with astonishment, which almost shook my faith and confidence in our noble ally, which their liberal and generous conduct however preserved, and made me

suppose some latent cause had produced it rather than an intention to let them loose upon us to whom they had given so very material assistance. If the omission was a designed fraud at New York, it was a cobweb artifice of an hour, too contemptible almost for Hottentots.

I am glad the trade intended to be commenced under cover of flags to supply the prisoners is so early detected. I believe it was pretty extensively carried on here, formerly at Charlottesville, and tended to poison the minds of the people in that neighborhood by the circulation of those charms, specie and British goods. Pray what is the effect of the discovery? Does it forfeit the vessel and whole loading, or only the unlicensed goods? Or rather do Congress mean to insist on the former, which I fancy the laws of nations intitle them to, or be content with the latter. Perhaps I say Congress improperly, since it may be the State of Pennsylvania who are to determine upon it. It may be well, should any come here, to have uniformity in the decisions upon the subject. Governor Rutledge and Col<sup>o</sup> Jervais passing lately to Congress, I am told have contradicted the reports of the evacuation of Charles Town. From them you'll have had an account of things in that quarter, about which we have had many conjectures and dreams, the amusements of a day.

Mr. Jacqlin Ambler is our treasurer in the room of Col<sup>o</sup> Brooke. Empty as the strong box is, I am told there was a warm contest for this office, and Mr. George Webb is much chagreen'd at the disappointment of his nephew Mr. Foster Webb, a clever youth in business, but too young for the dignity and importance of that office. Mr. Ambler is well esteemed and I think will be confirmed by the assembly. Some elections since my last seem to mend the representation, which I hope will be better than I then feared.

You'll probably hear that in Caroline we have chosen a Tory, and other epithets added to it in Mr. Gilchrist of Port Royal. He is a *Scotch man*, "the very head and front of his offence hath that extent, no more." Against which we have only to urge in our justification that he came from that country a youth, has been in Caroline upwards of 40 years, married and realized all his property (which is very considerable) in the County, and for upwards of 30 years has been an active, vigilant and upright magistrate, as well as of irreproachable life in the character of a private citizen, which 19/20ths of the County (foolishly it seems) thought sufficient to purge the sin contracted by his birth in that hostile country.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 18 May 1783.

MY DEAR SIR,—The last of your favors I have to acknowledge is that of April the 23<sup>d</sup>, a subsequent one I missed hitherto, as I was not

returned from Richmond when the post rider passed my house, and he carried it there; but I had left that place before his arrival, and must wait his return for the pleasure of receiving<sup>1</sup> it. I am however in more anxiety for your next as I expect in that confirmation of a piece of news which has been brought from your city, that has almost intranced us, no less than our darling Independency having been acknowledged by Parliament: a measure so pleasing and important, and at the same time so unlooked for at this juncture when the ministry had menaced a more vigorous prosecution of the war than ever, that we scarce can give credit to repeated assertions of its reality, by several credible passengers from thence, and I must wait two days more till I shall have from you an account I can depend on. If it be so, and a general peace not in treaty, it will become us to be on our guard, since they must mean whilst continuing the war against our good ally, to try every art of corruption to detach us from them, and endeavor to seduce us into a separate peace, a more certain destruction than their arms could ever have brought upon us; but on this head I am not uneasy, since it being impossible that any friend to America can make a proposition of that sort, I hope the uttering such a sentiment will be considered as marking the author for an enemy, and stop his influence.

Whether this great event has taken place or not, our eyes must be turned to the West Indies, as the great theater for playing this campaign; whether it will be a real tragedy which may decide the fate of the war, or a repetition of the farce acted for two or three seasons in the British channel time must decide; in the former case we have much to hope from the superiority of our allies. . . .<sup>1</sup>

VIRGINIA, 20 May, 1782.

DEAR SIR,—Your favor of the 7<sup>th</sup> brought me the debates in Parliament on which I suppose had been founded the story mentioned in my last of their having acknowledged our independence, a weak ground indeed, but yet I conclude it is all they had. I wish you had given me your sentiments upon it, perhaps they might have placed the transaction in a more favorable light than it now appears to me in, which is that of a mere tub thrown out to amuse that whale, the present dangerous spirit of the nation, in hopes time may occasion it to evaporate, and ministry may still pursue their beloved object: for what does this last proceeding amount to, more than a resolution to suspend for a very precarious time active operations in America, that they may be more at leisure to make effectual war against France and Spain in other parts? Oh yes, they are to make peace with us, and we hear that General Carleton is arrived with the necessary powers: what do they mean by talking of peace with us, and vigorous war with our

<sup>1</sup> Balance torn off.

ally with whom we have solemnly engaged to make it a *common* cause? Are they encouraged to this insult by any former instance of our perfidy, the tardiness of our ally, or the ill success of our conjunct efforts? Let the unshaken firmness of America, the unbounded generosity of France and the events of the war answer. This farce of peace then is only resolvable into that amusement before mentioned to allay the present ferment, without quitting the war; let them take care however that it don't recoil upon them with double force at some future day, and let us not relax in our preparations for repelling any attack which may be meditated. I had yesterday from Richmond an account of a great naval action in the West Indies said to have been taken from an Antigua paper, the result of which is told me in two ways; by one the French had 4 line of battle ships taken, and two sunk, according to the other only one was taken and one sunk, agreeing that Count de Grasse's ship the *Ville de Paris* was taken. The story is that the French fleet of 31 sailed to join the Spanish fleet, and were met by the British of 33, which they were compelled to engage to give the transports under their convoy an opportunity of escaping, the paper is silent whether that was effected, but it is said the French commandant at York has written the Governor that the transports were safe, and speaks of the action rather as a bagatelle. I have hopes the Antigua Rivington may have exaggerated the British advantage, but fear the loss of that valuable officer and ship is too true. I am impatient to hear the certain account and whether the French formed the junction with the Spaniards after the action. Mr. Tyler is speaker of the Delegates in opposition to Col<sup>l</sup> Lee. . . .<sup>1</sup>

VIRGINIA, 27 May, 1782.

DEAR SIR, — Your favor of the 14<sup>th</sup> conveyed a very unexpected piece of intelligence in the entire revolution of the British ministry, an event which I once thought probable in the course of the struggles for the loaves and fishes, but in which the old appeared about the beginning of March to be gaining ground. The political conjectures here are busy, and much divided whether this change tends to peace or a more active and better directed war. As it is said Lord Shelburne is to direct the Cabinet and his opinion hath been uniform against our independence, the prospect is bad. But as the spirit of the nation appears to be for peace at all events, and this spirit alone forced them into their present offices, I think they must adopt the measure, I have no doubt but they will endeavor to detach us from our allies by every seducing attempt; but when they discover the spirit of Congress, firm to its engagements and resenting even the idea of the least departure from them, I think they will open a treaty that shall include our

<sup>1</sup> Balance of letter cut off.

allies, and yielding the great point to us, put an end to a war the nation seems so averse to, unless some flattering circumstances in foreign treaties, or success in arms, should give a turn in their favor, of which there appears little probability, I am happy to hear, even from our lowest class of people, a becoming resolution not to purchase the peace they ardently wish, at the expense of breaking faith with our allies ; and all approve what you recommend, a preparation for continuing the war to advantage, a conduct the most proper, even if we had a much better prospect of peace than we have, since it is best to treat with arms in our hands.

If it shall become the *inclination* of the crown to acknowledge the independence of America, I imagine there will be little dispute about its *Power*. To remove the shackles with which Parliament had bound the prerogative to make peace and war, was the most constitutional and polite way of doing the thing, as well as the most likely means of re-instating the king in the affections of the people, since peace will thus appear to be his act, a circumstance he will probably pay some attention to now that he is in the hands of a Whig ministry.

I hear nothing that our Assembly have done, but the refusing permission to some vessels which came from New York with passports from Congress to load tobacco under some contract with Mr. Morris, except so far as may answer the engagements of our commercial agent. What reasons influenced this negative I have not heard, but they must be strong to outweigh the respect due to Congress, our obligation to support the credit of the Financier-General, and our want of specie to support our part of the war. I wish resentment for the ill treatment we have lately experienced at Philadelphia may not have entered into the deliberations on this subject, though I have heard nothing of the sort. What will those men have to answer for who for their private emolument have fomented these divisions. I am told a petition is circulating and signing in the western country addressed to Congress and requiring to be a separate State, to which many there are very averse, which produces quarrels and bickerings amongst them. I wish our Assembly may turn their thoughts to the subject and endeavor to counteract the agents of this mischief, by a plan for administering justice and diffusing the other benefits of government to that remote region, until they shall be in a state of acting for themselves without injury to us, and let us separate by consent at such a period, remaining good neighbors. I want to hear the propositions Mr. Carlton hath to make, and the mode of conducting it as a matter of curiosity, more than from any hope of good to be expected from it. It was curious enough to want his Secretary to come to Philadelphia as a *spy*, or perhaps in a more dangerous employment.

EDMD PENDLETON.

VIRGINIA, 17 June, 1782.

DEAR SIR,— Your favor of the 4<sup>th</sup> brought a confirmation of the unfortunate issue of the great naval conflict in the West Indies on the 12<sup>th</sup> of April, unless we can suppose Adm<sup>l</sup> Rodney's letter spurious, no features of which I am able to discover, unless it be an uncommon modesty, for which they have not been very remarkable in such narratives in the course of this dispute. We are yet told from Richmond, as handed to that place from Ct. Rochambeau, that de Grasse is not a prisoner tho' they have lost the ships mentioned; but as Rodney's letter as to that point seems confirmed by the account brought to Baltimore by the vessel from Hispaniola, that the squadron, *late* under Ct. Degrasse was to be commanded by Vauderille I think that valuable officer is a prisoner; if this Baltimore account be true, I think we may soon hope to hear something agreeable from Jamaica, which may balance our former misfortune.

I have a letter from Gen<sup>l</sup> Greene's camp of the 18<sup>th</sup> post, which mentions the embarkation of 2 regiments, near 1000 men, from Charles Town on the 4<sup>th</sup> of that month, supposed for Jamaica. From whence I conjecture that the preparations at New York are for conveying troops on the like errand, unless they have some plundering plan to execute in America. There appears no intention in the garrison at Charles Town to evacuate it, or commence offensive operations. My poor nephew, Judge Harry, is miserable in his captivity there, confined in the Provost, afraid to take the air of his window lest some refugee should be at hand to shoot him. Gen<sup>l</sup> Leslie has hitherto refused his parole, altho' Gen<sup>l</sup> Greene has offered to pledge himself for his performing the terms of it; the present behavior of the refugees might satisfy Leslie of the propriety of his breaking his former parole, if his letter to Lord Cornwallis had not been satisfactory. He was in bad health when taken, so that I suppose his situation and the approaching hot season, will soon put an end to all disputes about him, and gratify the wishes of his enemies, unless no death but that by their own hands will do so.

We have had publication of the States General having acknowledged our independence and recognized Mr. Adams as public minister. If they have any foundation in truth, I suppose they only mean that the Province of Holland hath acceded to that measure; but of this I doubt as you only mention that of Friesland: the whole was in a probable train, if the affair of April 12<sup>th</sup> has not interrupted it.

Your judicious decision upon the distinct powers of Congress and the State respecting the flags and passports for carrying tobacco to New York, is unanswerable, and I feel the propriety of our Assembly's joining in the necessary concert on this occasion, calculated to furnish a market for our tobacco, which we much want, and save so much specie to be sent off in discharge of our Continental proportion of expence. The



principal objection (and what I understand influenced the Assembly) was a regard to our noble ally, who 'twas thought would see with resentment our tobacco going to the common enemy by consent of the governing powers, a circumstance we cannot be too attentive to, from every consideration of justice and gratitude; but besides that the alternative of remitting the very money we possess from their generosity, could not be less displeasing, it is to be observed that they in a manner consented to this measure, when in the capitulation at York in which their general had a part, the British merchants were allowed to dispose of their goods here and of course tobacco must go to pay for them, since that was the only means. I heard a sensible member say that he would have consented to the measure, if the French minister had been consulted and approved it. The price (tho current here) was another objection, for say some gentlemen if our tobacco must go to the enemy, why should not we, rather than the United States have the whole price, which the enemy are willing to give. The very money lodged with M<sup>r</sup> Morris was offered to our governor for tobacco at 30 / a hundred, provided this passport could be obtained to carry it to New York, and merchants here have declared publicly that with such a passport, they would give 40 / sterling. This is indeed a serious objection, for if in consequence of this restriction in trade we are to submit to a very low price for our staple, and must agree to waive it whenever Congress shall propose to do so, for the interest of the United States, we may easily suppose without breach of charity, they would soon make their financier a merchant to purchase up all our tobacco; and whether they would in such case continue disinterested and proper judges to exercise the power of flags, is pretty easily determined. In a general view therefore such a proceeding could not be approved, but the inference is that in future we should avoid all occasions of this sort, by either making the trade free and open, or not allow it in any case. As to what is past, we purchased the goods under a public and authorized capitulation, and are bound to pay for them; we must do so in specie or tobacco; it is more convenient to part with the latter at the current price than the former, and should have been willing but for the prohibition, to have let the C<sup>t</sup> carry the tobacco anywhere and make their profit. If Congress think they can without injury to the public allow the tobacco to go to New York, and take the profit the merchant would otherwise have, it would seem that Virginia is not injured, and the Union benefitted. But here lies the rub. If Virginia in payment of a debt to the enemy contracted with the approbation, and under the sanction of the States, can avail herself of an high price for her produce, and Congress see no injury in exporting that produce (for this is admitted in granting the passports) why should they withhold their sanction to the export for the benefit of Virginia and compel her to purchase passports, at the price of the whole profit? Is not this making a merchan-

dize of congressional powers? I write my thoughts just as they occur, and perhaps (like they say of the Assembly resolutions) my reasoning may be at variance with my opinion. Would not a compromise be most equitable? Let the passports stand, and be assented to here. Let the States have the benefit of the profit as far as the money goes, lodged with Mr. Morris (for that was gone from the State), and let Virginia have the best price she can get for tobacco for the residue of the debt, under the knowledge of these passports, and so let it end. I have given you too much trouble on this occasion and intreat y<sup>r</sup> pardon. I am happy to hear the former delegation to Congress is continued, as I suppose Mr. Jones and Mr. Att<sup>o</sup> have agreed to return.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 1 July, 1782.

DEAR SIR, — I am sorry to find by your favor of the 18th past that the southern mail had been made prize of, and probably carried to New York. I don't remember the contents of my letter, but dare say it can produce no injury, public or personal, unless it be such to myself to be detected by those not so indulgent as my friend in being a dull unmeaning correspondent. If it had contained asperity of expression towards them I had been the more pleased with it. However, such as it is, let them make the most of it.

Nothing amazes me so much as that we should be so long without a certain official account of the engagement in the West Indies, about which people here continue divided in opinion, and the event is the frequent subject of wagers: we are told that Mr. Harrison, your Commercial Agent, in that quarter, is lately arrived, and no doubt brings some account which may be depended on. They tell us a strange story from Baltimore, that after the junction of the French and Spanish fleets at Hispaniola, they again separated and were gone, no one could say whither.

I can't say whether our Assembly have adjourned, nor what they have done? They were to have ended their session on Saturday, but did not, I believe. I fancy they have passed a law for raising our men, most other important bills I am told were put off till next session. We have had a long drought, yet our corn has suffered less than we expected.

EDMD. PENDLETON.

CAROLINE, 29 July, 1782.

DEAR SIR, — I am sorry to find by your favor of the 16th that the robbers of the mail seem to be a regular trained band, who may probably return to their station on this side Philadelphia, to divert the attention of those who may seek them. Should this be the case, they

will have a bad bargain in mine, not worth the trouble of reading. The report of the burning and evacuation of Charles Town had reached us before yours came to hand, but I believe it came from the southward. Accounts from North Carolina speak of it as a thing in agitation rather than done, I mean the evacuation, for they say nothing of the burning, which I hope is not true.

I am sorry poor Asgil is at last likely to suffer for another's crime ; however, the sacrifice is necessary, and just on our part, let them answer for the misapplication of the punishment, who alone might have saddled the right horse.

The introduction of General Carlton's maxim at this time probably looks forward to an important event, in which I always supposed the interest of American loyalists would make a considerable point of discussion. I wish he may prove prophetic in the period in which that event will take place, tho' perhaps we may differ widely in the grounds of his hopes. I am sorry for his proposition for exchanging prisoners in a mode which would enable them to employ them against our allies, and appropriate others to the war here, as it betrays an opinion on our part that they may still insult our understandings with impunity, if not with hopes of success.

My nephew, Mr. Edmund Pendleton, Jr. has lately lost a young negro man about 22 years old, five feet, eight inches high, rather thin made, is a little bow legged, and has a down look when spoke to. He run away last summer, and having plundered a party of troops, they whipped him so severely that he lay up for two months, and retains the apparent marks of it on each shoulder. He reclaimed him twice from the French troops as they passed, and therefore suspects that he finally rode ahead of them in order to join them in Maryland and Pennsylvania. He stole a fine horse belonging to a M<sup>r</sup> Allan, and a valuable mare from a neighbor, but I can describe neither. Will you do me the favor by application to Count Rochambeau, or other French officers, to endeavor to recover him, if he should have joined them, and in case you succeed to have him confined in gaol till my nephew can send for him, unless you can sell him for £200 specie, which though much less than he would sell for here, my nephew would rather take than be further troubled with him. The fellow's name is Bob. I have not described his dress, as he stole variety of clothes from different people. I would not have troubled you with this request, but knew not how otherwise to get the application made.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 12 August, 1782.

DEAR SIR, — Not having the pleasure of a letter from you last week, and little interesting intelligence here, my letter, as too frequently hap-

pens, will be a very dull one. The French fleet hath left us, but the port it sailed from, as well as its destination are secrets to us. One of their frigates hath sent in a sloop of war taken from the British off our coast. Savannah is certainly evacuated, which I consider as a prelude to the abandonment of Charles Town.

Pray is it true that the Dutch have a large fleet arrived at Surinam? And did they on their passage make prizes of 4 British ships of the line and 4000 troops bound to the West Indies? Such is the agreeable news our printers have given us, but not such proofs as are satisfactory.

The torture of Col<sup>o</sup> Crawford by the Indians to the westward I suppose was in revenge for the massacre of the poor Moravians by our people some time ago; yet resentment for this will take place in our back people, and perhaps continue for years a scene of mutual bloodshed.

A light rain or two which has fallen since my last have been of some service to our corn, but not sufficient to relieve us from our apprehensions of want in that article. A short crop of that and tobacco, will I believe be inevitable, and yet the merchants talk of giving us but two dollars pr. C<sup>t</sup> for the latter, which some necessitous people take on Rappahannock. On James and Pamunky Rivers they give 20/.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 19 August, 1782.

DEAR SIR, — I thank you for your favor of the 16<sup>th</sup> and for your promise to endeavor to reclaim my nephew's runaway slave: the circumstance you mention will probably prevent the sale of him if recovered, unless any of the French officers should take a fancy to him and purchase. I am told the Pennsylvania law has guarded against runaway slaves claiming the benefit of manumission by coming into that State. Policy makes such a regulation probable as well as justice, since the latter would restrain the making their State an asylum for their neighbor's property, and the latter forbid such an increase of these people upon their hands, who I am persuaded will be found not the most desirable kind of citizens. We have heard the slave was with the French army at Baltimore, and a man is gone thither after him; if they had removed before he reached that town, he would pursue them, and I doubt not if he came to Philadelphia, and applied, but he had your assistance.

We have nothing from the southward since my last but an entertaining anecdote respecting Gen<sup>l</sup> Wayne, who 'tis said suffered himself to be surprised by a body of Indians, to whom he abandon'd his camp; the sight of the cannon and tents standing impressed on the minds of the savages an idea of our army's having gone off by stratagem and of their speedy return. In this tremor young Parker (who had rallied

and marched back 25 infantry and 15 cavalry) attacked them, and they fled with precipitation, leaving not only our camp, baggage, &c. unhurt, but about 500 horses loaded with skins and furs, their own arms and other things. I am impatient for your next favor since I am told Genl. Carlton hath at length broke silence and communicated to Genl. Washington a convention of ministers from the belligerent powers at Paris, who had nearly settled the preliminaries for a general peace, the great outlines of which, particularly, American independence, the restitution of places taken, and the rights of the Fishery had been adjusted and settled. We were no sooner possessed of this agreeable intelligence than a gentleman passed us said to be just arrived from Europe, and who tells that things were indeed in the above train at Paris, when an account having reached London of Adm<sup>r</sup> Rodney's success, a courier was despatched to Paris to stop the negotiation, and the convention broke up. In this uncertain state rests this great and interesting point. Surely the British ministry would not suffer so good a work on the point of completion to be stopped, because in the precarious events of war they happened just then to have gained some advantages, which they might soon lose with high interest. Be this as it may the crisis is important, and my anxiety on fire till I know the event. May it be peace, provided it be a just and liberal one, which may give it a long duration.

EDM<sup>d</sup> PENDLETON.

P. S. [*Unimportant.*]

VIRGINIA, 26th August, 1782.

DEAR SIR, — Your favor of the 13<sup>th</sup> gives great hope that peace is approaching fast. There are some circumstances unfavorable, such as the attention in the exchange of prisoners to their soldiers being at liberty to serve against our allies immediately, and against America after a year, and Gen<sup>l</sup> Carlton's declarations convey an idea so flattering as to create suspicion of their sincerity. Yet the terms, after the voluntary recognition of our independence, appear such as might be reasonable to all parties. For as to our part, as an individual, I declare my sentiments not to hesitate in restoring the confiscated property, either upon the ground of mistake in the original measure, or that the value of them bears no kind of proportion to the inconvenience of continuing the war; even the expence and disappointments in trade would soon exhaust that subject, but I consider the life of our valuable citizen as greatly overbalancing the whole of it. It would therefore be my opinion to be as prompt in our concession to this, as Britain was yielding the great point; and as to the fishery, I suppose we do not require more than is offered. So that if our allies are satisfied, I see nothing in the whole prospect to interrupt the negotiation or prevent

its conclusion. However, we should never lose sight of the caution impressed by the experience of all ages, to increase rather than relax our preparations for war to the last period of the treaty.

We have been amused for some days with a report of a large fleet in our bay, and a heavy cannonade on their entry, which is said by others to be without foundation. How it is, I can't determine, nor was it ever said whether they were friends or enemies: three or four British deserters have appeared on James River, listed several slaves whom they armed from a magazine in Goochland, and then set fire to it. We have caught one of the slaves, who says they intend to destroy other magazines. A party is after the whole, and 'tis hoped they may be taken soon.

It is my opinion that it would be wisdom on the part of Britain to yield Canada as a 14<sup>th</sup> member of the union, since the event at some future period is more than probable, and a war may precede it; yet I cannot but consider the spontaneous hinting of it in the manner it has been done, as having a deep insidious intention on our integrity. To decide what would be right on that head in the treaty, independent of the interest of the contracting powers, would seem to be to leave it to the Canadians to choose the party they would be annexed to.

I am much obliged, and so is my nephew by your attention to his runaway, his overseer has been out these 10 days in pursuit of him and is not returned. He was certainly with the French army at Baltimore where I hope the overseer will reclaim him.

We have had some fine rains which have done much good, but were partial, and leave many parts of the State in distressful apprehensions of the want of bread.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 2 September, 1782.

DEAR SIR,—I was disappointed in not receiving by your last favor of the 20<sup>th</sup> past some intelligence from our foreign ministers respecting the great object which at present occupies all our thoughts. Their silence at such a crisis cannot be supposed, and therefore we must charge it to the capture of the vessels by which their letters were forwarded. Some of our fat Tories say there is a suspension of hostilities in Europe, and I am told there are some Irish cutters arrived here with cargoes who repeat the same thing. If this be true I should suppose it to be in consequence of the signing of the preliminaries to peace. I wish the good work completed.

I wrote you my nephew had sent his overseer to Baltimore after his runaway slave. He concealed himself for two or three days, but made a friend amongst the attendants of the French army, who at length discovered the slave, and the overseer took him in an officer's tent who

had employed him as a servant. They attempted to rescue the fellow and threatened the overseer with sending him to the guard house, but as I had written to my friend Mr. Lux, requesting his assistance, he interposed and procured the release of the overseer, and delivery of the slave, not however till he agreed to pay 20 dollars for his maintenance, under pretence of an order of our governor and council, allowing them to demand of the owners of all the run away slaves a reasonable sum for their provisions. I never heard of such an order, but if there was such I am persuaded it related only to those taken from the British at the siege of York, and not to such as run away and join them in their march and are encouraged to do so by their secreting and protecting them from their masters. The overseer had lost his horse and went in pursuit of him, leaving the slave tied and handcuffed at Mr. Lux's, from whence he escaped and must have had some assistance. After two days' fruitless search he was obliged to return without him, having added to the loss of him that of a valuable horse, the 20 dollars, and other considerable expences. There are a number of other people here have lost their slaves in the same manner, and are in a very ill humor on the occasion. And as I am persuaded the principal officers in that army are no ways privy or consenting to such plundering, I have no doubt but that upon application they would all be delivered up, when they might be confined and on public notice the owners get them again. Otherwise, I expect that application will be made to our Assembly, and probably from them to Congress, which might lay the foundation of bickerings with our good friends, that would give me more concern than even the loss of my nephew's slave, tho' his circumstances do not make that a very light one, with the accumulated expences which have been consequent upon it. The overseer cannot tell, nor does Mr. Lux mention the name of the officer who extorted the 20 dollars, and had employed the slave as a servant, they only say he was a lieutenant. I wish I knew his name that you might point him out to the general. In the meantime it is possible the slave may have fallen into your hands, tho' he has practised every stratagem to conceal himself by denying his master's name, and changing his own, and his dialect: but the marks on his shoulders cannot be removed. If you have got, or shall get him, tho' I suppose a citizen of Pennsylvania can't purchase him by their laws, yet perhaps some transient persons, of whom there are many in the city may do so, as he is really stout and young, and until last year behaved very well, and my nephew will thank you to sell him again, for what you can get above £50, as he neither wishes to see him again, or to risque a further loss in his conveyance to Virginia. Our friend Mr. Jones is again returned to Philadelphia, and will I hope again relieve you from half the burthen of corresponding with, &c.

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 9 September, 1782.

DEAR SIR, — If the feelings of all my countrymen were as much wounded as mine are by your situation hinted at in your favor of the 27th past, you would soon be in one more agreeable to yourself and honorable to your country. I can say no more on the hated subject.

Since my last we have intelligence that my nephew's slave was recovered and confined in Baltimore gaol. A messenger is gone for him, who I hope will be more successful in getting him home than former ones were. I fear my last may have given you some unnecessary trouble as to him, though your interposition may have proved serviceable to others.

The embarkations for Canada from Charles Town and New York, lately announced in your papers, have opened a new train of conjecture, upon a probable intention of Gen'l Washington to march into that country, and many others which I won't trouble you with. In the meantime I can't help feeling compassion for the poor repenting refugees at New York, and wish they may experience as much lenity as is consistent with justice and the general good of the States. No doubt the inhabitants of Jersey must possess the keenest resentment for the loss of their near and dear relatives, and injury to their property, but as it is the common calamity of war, and the former will not admit of specific restitution or compensation, there is more magnanimity in forgiving it than in revenging upon persons now in our power, what perhaps they did not perpetrate. As to the latter, something by way of fine in the mode of South Carolina, so as to bear upon their property, might not be unreasonable. I am sorry to observe the Pennsylvania Assembly entering so early a caveat against the restitution of confiscated property. Influenced no doubt by the magnitude of the proprietary interest, and the estates of some fat dons, and perhaps their mercantile interest may not lead to peace at all. But great as the value of those estates may be, I am persuaded the continuance of the war for a short time, would in point of expence, and in the diminution of profit to be expected from a free and general trade, overbalance it, — I mean to the people in general. Some individuals perhaps owe their mushroom growth to the war, and must die with it. . . .

EDM<sup>d</sup> PENDLETON.

VIRGINIA, 14 October, 1782.

DEAR SIR, — Tho' this is Mr. Jones' turn, yet as you wrote last instead of him, to preserve order in the correspondence it is necessary I should acknowledge your two favors of the 24th. past and 1<sup>st</sup> instant, the former did not miscarry as I supposed, but by some blunder in the Post Office made a trip to Petersburg and returned to me. You know I am a stickler for order, and my friend Mr. Jones must excuse me. I



should fear his illness prevented his writing, but as you don't mention it, I impute it to some other accident.

We are told the negotiations at Paris were still going on the latter end of July. Tergiversations conduct I should think, must alone be the cause of spinning it out to such length. The view in such delay can be only to await the events of the campaign and the anecdote respecting Mr. Grenville plainly enough designates the dilatory power. Truth could not be his motive in changing his position, since I have no doubt, if no unforeseen misfortune happens, but that the king will *agree* to our independence much sooner than be *disposed* to it. However their continuing the treaty gives reason to conclude that if no great change is produced on either side by this campaign, they will treat seriously at the close of it. For I think the nation as soon as the éclat of Rodney's victory shall have grown stale, will return to their demand for peace, which the king and his Premier will not be able to silence.

From a view of things compared with y<sup>e</sup> last intelligence it seems to me that New York will be evacuated, that the 2000 Germans and 1200 British lately arrived at Halifax, with the 1500 who went there from New York, will be sent to Canada to strengthen the defence of that country, and the rest of the army go to the West Indies. But in this conjecture I may wholly mistake their system. I hope the ships to the eastward are secure from their attempts. Nothing can equal the generosity of our ally; which is as permanent as it is beneficial; one would suppose the late instance would inspire every American breast with the warmest gratitude, yet I am told that a letter lately written to this country by Dr. Lee, contains sentiments very different and makes much noise in the State, to his disadvantage not to that of the alliance. I wish the Indian incursions into our frontiers may be discontinued, but I agree with the sagacious sachem, that we have more to hope for from an opinion impressed on them of our power to hurt them, than from the tender mercies of the British king. I fancy there has been a smart rencounter with them in the Kentucky country, but the particulars are not ascertained.

It is said that the vessels from Ostend, mentioned in my last, belong to some smugglers on the British coast, but I don't know the certainty of it.

EDM<sup>d</sup> PENDLETON.

TO JOSEPH JONES.

VIRGINIA, 21 October, 1782.

DEAR SIR, — I am to thank you for your favor of the 8th. The turn formerly in dispute between you and Mr. Madison was yours; his occupation of it, however, made none other difference than that it raised my fears of your having relapsed into your former illness, which Mr. Madison's silence in a great measure allayed.

The continuance of the negotiation after the last change of ministry, shews they do not care to lose sight of that object, and will probably be serious in it, at the close of this campaign, if nothing very fortunate for them should turn up in it. From Earl Shelburne's disposition or his masters, we have nothing to expect pacific to us; but I think their situation and the spirit of the nation will coerce the acknowledgment of American independence.

There is nothing material in the bill for peace or truce, since it only gives a (perhaps unnecessary) power to the king to make either without anything mandatory. Yet it's having lain so long with the Lords, and being passed just at the close of the session, together with the purging it of the offensive terms *revolted colonies*, gives it a conciliatory aspect. Whilst I am on the subject of peace, since in my last to Mr. Madison I mentioned that a letter of Dr Lee's abusive of the French alliance had made much noise here, justice to the Dr. requires that I should thus early declare I have since had a particular account of that letter, and find the clamor was without foundation, of which you'll please to inform Mr. Madison.

I find your opinion coincides with mine as to the designs of the enemy in strengthening Canada, and bending the residue of their force against the West Indies. I hope our allies are prepared there for such an event, so as to disappoint any extraordinary fruits of their plan, which the superiority of the combined fleets in Europe, tho at a distance [*cul*].

TO JAMES MADISON.

VIRGINIA, 28 October, 1782.

DEAR SIR, — I have your favor of the 15<sup>th</sup> I think Genl. Carlton fairly acknowledges the independence of America to be given up, when he can no longer discern the object of the war, however, as they evade making it openly, these by-hints can have none other design than to endeavor to draw us into a separate treaty. As they know your resolution on that head, it is time for them to determine upon a general peace or war, and act accordingly. The end of this campaign will probably fix them.

If there be any truth in the French minister's intelligence from Boston, there can be none in a story we have piping hot from Philadelphia of an action between the combined fleets and Lord Howe in the channel, in which the latter and 12 capital ships became prize to the former, to which story however I give no manner of credit.

EDM<sup>d</sup> PENDLETON.

RICHMOND, 8 November, 1782.

MY DEAR SIR, — Your favor of the 29th past gave me equal pleasure with one from our friend Mr. Jones in every other respect but that of the cause, his indisposition, which I feel sensibly as a friend and citizen, and hope it may soon be removed. The certain account we have of the evacuation of Charles Town, seems to have wiped away the impression intended to be made by Rivington's publication of a vigorous prosecution of the American war, being resolved on in the British Cabinet, and seems to carry things to their former state, indicating a direction of their force against our allies in the West Indies, or perhaps it may be meant to make a great naval effort in meeting the combin'd fleets in the neighborhood of Gibraltar. I wish they would be quiet, and let the negotiations go on, as Mr. Fitzherbert's commission will certainly include us, if they choose to make it so, (as I think they will if the campaign ends without material alteration in the state of affairs amongst the belligerents), though it is couched in such terms as may let them out of that interpretation if any unlucky event to us, should turn up in their favor.

I was particularly obliged by your observation which destroyed the credibility of the supposed letter from the Hague of the 17th of August, since the mercantile interest appeared to have seized that story with avidity as an additional circumstance, placing the prospect of peace as at a great distance.

Our legislature remain yet unformed, wanting three members of the Delegates to day to make a house, which 'tis thought will be completed to-morrow. Whether from their long, disagreeable, useless attendance, or from what other cause I know not, but they seem out of humor, and talk of impeachments of the executive, and of censures on Dr. L. The name of that gentleman constrains me once more to say that tho' I was misinformed as to the first account of his letter, yet I was equally or perhaps more so, in the account I mentioned to Mr. Jones, tho' I had it from a gentleman I thought I could depend on. Thus much I thought it my duty to say, lest you or Mr. Jones should entertain an opinion from my last letter unfavorable to my judgment or principles, and will give neither any more trouble on the subject.

The great constitutional question, as it was called in our papers, and which I explained in my last to Mr. Jones, was determined in the Court of Appeals by 6 judges against two, that the treason act was not at variance with the Constitution, but a proper exercise of the power reserved to the Legislature by the latter, of directing in what other cases based as that of impeachments by the House of Delegates, the executive should be restrained from pardoning, including in it the power of directing the mode of pardon in all such cases, provided such mode should necessarily involve the consent of the House of Delegates,

which it was thought preserved the spirit of the Constitution and was the best interpretation which the inaccurate words of the Constitution would admit of. Consequently it stands as the opinion of the judiciary that a traitor can't be pardoned but by the consent of both Houses of Assembly.

EDM<sup>d</sup>. PENDLETON.

Remarks were also made during the meeting by Messrs. GRENVILLE H. NORCROSS, EDMUND F. SLAFTER, and ARCHIBALD CARY COOLIDGE, who in the unavoidable absence of Mr. CHARLES GROSS, read a letter from him, giving a minute estimate of the historical work of M. Lavissee.

## MARCH MEETING, 1905.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M. In the absence of the President, the senior Vice-President was in the chair. The record of the February meeting was read and approved; and reports from the Corresponding Secretary, who was absent, and the Librarian were presented.

The VICE-PRESIDENT said: "At the last meeting of the Society, when an account was given of George Livermore's picture, then recently hung, I was reminded of the fact that the portrait of Mr. John Langdon Sibley, our munificent benefactor, which hangs in yonder room, had never been formally presented to the Society, and that no entry in regard to it appears on our records. In order to meet this oversight and to remedy the defect I will now report that the picture was given by Mrs. Sibley some months before her death. It was painted in January, 1894, by Mr. Frederic Porter Vinton, the well-known artist, and is a *replica* of the one now belonging to Phillips Exeter Academy, which was painted in the autumn of 1879. It seems proper that a statement of these facts should go on record."

He also said: "Among the accessions to the Library during the month is an interesting and valuable pamphlet, given by Mr. Charles Butler Brooks, of Boston. It is entitled 'The Narrative of the most terrible and dreadful Tempest, Hurricane, or Earthquake in Holland; on Wednesday the 22 of July last,' etc. (pp. 8), and was printed at Cambridge in 1674. It adds to our present list of Early American Imprints another title that may be unique. Rev. Thomas Prince, in his manuscript catalogue of New England publications, describes a copy that was defective or deficient at the end. The pamphlet has for a cover a part of a Proclamation issued 'By Thomas Danforth, Esq.; President of the Province of Mayne,' for a Thanksgiving, on November 23, 1682. At that period Danforth was Deputy Governor of Massachusetts; and the day

was fixed by the General Court of the Bay Colony. Unfortunately the lower part of the printed matter of the Proclamation is torn off. This imperfection at the end of the sheet would seem to bear out the theory that the pamphlet may have been the identical copy described by Mr. Prince."

Mr. Theodore C. Smith, Professor of History in Williams College, was elected a Resident Member; and Mr. George P. Winship, Librarian of the John Carter Brown Library, Providence, Rhode Island, was elected a Corresponding Member.

Rev. Dr. JAMES DE NORMANDIE, having been called on, read the following paper: —

*Manners, Morals, and Laws of the Piscataqua Colony.*

The character of the early settlers in the plantations along the Atlantic coast must have been quite the same. They came generally from the same classes of English people, and either from the spirit of colonization then so widespread throughout Europe or from nonconformity driven by the intolerance of the Established Church. Ecclesiastical associations were the chief differences, especially between the Bay and the Piscataqua. The latter was made in the interests of Episcopacy as the handmaiden of royalty; and this accounts for a large part of the dissensions between the two, and the charges of each against the other.

Governor Dudley, writing from the Bay, says of the Piscataqua: "Some of our settlers heareing of men of their own disposition which were planted at Pascataway, went from us to them, whereby, tho' our own numbers were lessened, yet we accounted ourselves nothing weakened by their removeall." It is an ancient theological tradition, not yet entirely outgrown, that persons who differ from you in their faith are likely to have a lower standard of morality. So Mather writes in the "Magnalia": "There were more than a few attempts of the English to People & Improve the Parts of New England which were to the Northward of New Plymouth, but the Designs of those Attempts being aim'd no higher than the Advancement of some Worldly Interests a constant Series of Disasters has Confounded them until there was a Plantation erected upon the nobler Designs of Christianity, & that Plantation tho' it has had more Adversaries than perhaps any

upon Earth yet having obtained help from God it continues to this day."

It is perhaps true of both the Bay and the Piscataqua that during the early years they had a large number of settlers of high moral and social standing, merchants and yeomen, citizens and clergy of a good quality of English life. It is true their religious views differed; it is true they were equally attached to their faith; it is true that some in each plantation partook of that coarse, wild, and profane character which belongs to all new settlements; and it is true that very early the Piscataqua came under the rule of the Bay, — was subject to their form of worship, controlled by men of precisely their way of thinking, so that the manners and morals were much the same.

One cannot fail to notice the expressions of friendship or religion which are found at the opening or close of business communications. The letters from one merchant to another seem incomplete without inquiries about health, family, or asking the blessing of God upon their enterprises. Of course, it is possible for good manners to conceal the intentions or disposition to dishonesty, as the forms of religion may advance the schemes of hypocrisy; but it is not generally so, and these expressions, even though common in the epistolary form of that day, hardly belong to a class of men without the sentiment of religion or abandoned to trade beyond other settlers. Thus Thomas Eyre of the Laconia Company, writing to Gibbins, closes his letter with this sentence: "I commend you and your wife, who by this I hope is with you, to the protection of the almighty." Mason, sending to Vaughan an invoice of goods shipped to the company, finishes his letter with, "Thus we commend you to God." Gibbins, writing back, says: "At large I wil write, if God wil by the next. Thus taking leave I commit your worship to Almighty God." Still, even at that day the spirit of over-reaching, which seems as old as trade, constantly appears, and Gibbins says in a letter to Mason: "The merchants I shall be very cautylous how I deale w<sup>th</sup> any of them while I live."

Not less frequent are the expressions of friendship from the families of the Proprietors to those of the factors: "with my kind love to your wife & daughter," or "Your loving friend," constantly appears in business letters.

In matters of temperance, early colonists two centuries ago are not likely to be illustrious examples; yet there is nothing like history to show the progress the temperance cause has made. The convivial habits of two hundred or even of one hundred years ago would not be endured anywhere now for a day. One who will take the trouble to look up the social or domestic life of the English or the Scotch, or of our own land back of the last century, will be amazed at the general custom of excessive drinking; and while among the greatest of the evils we still have to struggle against, the improvement has been most evident, and all the statements that we are intemperate beyond past years, or that the evil increases, have no foundation in fact. Dean Ramsay tells us it was no uncommon thing in the well-appointed houses of the gentry to keep two stout Highlanders whose business was to carry the guests upstairs after a dinner, and a boy under the table to loosen their neckties when they slipped down in the stupor of intoxication. All these settlements were well supplied with "Aqua vity," as it is often spelled. This and "Sack" come in all the inventories as a part of the *goods*. One Roger Shawe, of Hampton, is empowered and ordered "to sell wine of any sort and strong licquors to the Indians, as to their (his) judgment shall seeme meete and necessary for their relief in just and urgent occasions, and not otherwise." "Persons who keep houses of entertainment are forbidden to allow tippling after nine oclock." In Londonderry the evil was so great that at the installation of a clergyman a hogshead of rum was drunk, and in one part of the house in which the minister lived was a tavern where spirit was sold and drunk on Sunday by members of the church. The use of tobacco, then comparatively novel, early became subject to legal restrictions. In 1646 we find: "Whereas there is great abuse in taking Tobacco in a very uncivil manner in the streets, if any person or persons shall be found or seen doing so hereafter he shall be subject to punishment"; and again, "Any person or persons who shall be found smoking tobacco on the Lord's day going to, or coming from the meetings, within two miles of the meeting house, he shall be fined." "Within two miles" was construed to have no bearing on such as had a mind to smoke *in* the meeting-house, and so the loud snapping of tobacco boxes after loading the pipes, the clinking of flint and steel, followed by curling wreaths of



smoke, were not infrequent in the house of worship. The story of Captain John Underhill, who was a conspicuous figure in the early history of this settlement, and not distinguished by having all the graces, is quite familiar. He went so far as to say, "that having long lain under a spirit of bondage, he could get no assurance; till at length as he was taking a pipe of tobacco, the spirit set home upon him an absolute promise of free grace, with such assurance and joy that he has never since doubted of his good estate, neither should he, whatever sins he might fall into," and "that as the Lord was pleased to convert Saul while he was persecuting, so he might manifest himself to him while making a moderate use of the good creature tobacco," — probably the only instance, since its discovery, wherein it has been held up as a means of grace or the hope of glory.

Here are some regulations which let us into the customs of those times, and which show the keen watchfulness over the doings of every settler in the interests of good order and religion. It was ordered that "no young man that was neither married nor lath any servant, and be no public officer, should keep house by himself, without Consent of the town where he first lived; and that no master of a family should give habitation or entertainment to any young man to sojourn in his family but by the allowance of the inhabitants of the said town where he dwells"; — this was a decree so that a strict watch might be kept over the ways of each person. It was ordered that Maverick, on Noddle's Island, and his family move into Boston and entertain no strangers longer than one night. This Maverick was a clergyman of the Church of England, and the order was given out of fear lest he might countenance and harbor the enemies of the Puritans. It seems strange to us that the manner of wearing the hair should enter into popular discussion, legislative enactments, and violent pulpit utterances; but whole communities were seriously excited over it, and even the Apostle Eliot had a hard time with the important question. Governors, deputy-governors, and magistrates entered into league to prevent the growing evil. In 1648 the wearing of long hair was condemned as sinful. "Forasmuch as the wearing of long hair, after the manner of ruffians and barbarous Indians [one wonders why the Patriarchs, Prophets, Apostles, and even the Saviour are not

included inasmuch as Art so frequently represents these all as wearing long hair] has begun to invade New England contrary to the rule of God's word, which says it is a shame for a man to wear long hair, as also the commendable custom generally of all the godly of our nation, until within these few years: we, the magistrates, do declare and manifest our dislike and detestation against the wearing of such long hair, as against a thing uncivil and unmanly, whereby men do deform themselves, and offend sober and modest men, and do corrupt good manners." At another time, the Court taking into consideration the extravagance which prevailed through the country as to costliness of attire, and following new fashions, ministers, as the particular duty of their profession, were called upon to urge a reform in this respect on their congregations; "but," it is added, "little was done about it, for divers of the elders' wives were in some measure partners of the general disorder."

In 1642 the General Court required that the children whose parents neglect to educate them shall have the particular attention of the selectmen where they live, so that they shall learn to read and understand the principles of religion as well as the capital laws, and that all parents and masters do duly endeavor, either of their own ability and labor or by employing such schoolmasters or other helps and means as the plantation doth afford, or the family may conveniently provide, that all their children and apprentices, as they grow capable, may through God's blessing attain at least so much as to be able duly to read the Scriptures and other good and profitable printed books in the English tongue.

In 1647 there is a long resolution in regard to the Bible in schools, so that the pupils may exercise greater vigilance against papacy, "it being one chiefe project of y<sup>e</sup>ould deludor Satan, to keepe men from the knowledge of the Scriptures, as in former times by keeping y<sup>m</sup> in an unknown tongue, so in these latter times by persuading from y<sup>e</sup> use of tongues." The use of the Bible in schools was primarily and singly not for a religious service so much as to make each one read it for himself, — the cardinal Protestant idea.

Marriage, when it was celebrated, was performed by a magistrate, or by persons especially appointed for that purpose. Governor Hutchinson, in his History, says he believes there

was no instance of marriage by a clergyman during their first charter. Ambrose Gibbins, writing to Mason, says, "A good husband, with his wife to attend the cattle and make butter and cheese, will be profitable, for maids they are soone gounne in this countrie."

In 1680 there was set forth a code of Province Laws by the Generall Assembly in Portsmouth, wherein many of the Mosaic laws are re-enacted in all their severity. Here are two bearing upon the relation of parents and children: "If any child or children above 16 years old of competent understanding, shall curse or smite their natural father or mother, he or they shall be put to death, unless it can be sufficiently testified that the parents have been very unchristianly negligent of the education of such children." "If any man have a rebellious or stubborne son of sufficient years and understanding, viz. 16 years of age or upwards wch shall not obey y<sup>e</sup> voyce of his father, or y<sup>e</sup> voyce of his mother, yt when they have chastened him will not hearken unto them, . . . such son shall be put to death, or otherwise severely punished." Then there is this law, which it might be well for the journalism of our day to take to heart, which punishes any one "who shall wittingly or willingly make or publish any lie wch may be tending to y<sup>e</sup> damage or hurt of any particular person, or wth intent to deceive or abuse the people with false news or reports."

Of course Sunday customs, worship, and laws occupy a large part of the early history of all these plantations.

At first there were no pews in the rough, unplastered meeting-houses; the congregation was seated upon rude benches. At Hampton the church had for some time but one pew, and that for the use of the minister's family. As luxury increased, one after another of some quality was permitted to build a pew, keep it in repair, maintain all the glass against it, and build on the spot assigned him. There was one exception noted where, by the vote of the town, "Mr. Andrew Wiggin shall have Leberly to set in what seat he pleaseth in the meeting-house," while the general law was "that when the Cometey have seated the meeting-house every person that is seated shall set in those seats or pay five shillings per day for every day they set out of those seates in a disorderly manner to advance themselves higher in the meet-

ing-house." In the old South Meeting-house in Portsmouth persons were voted a privilege to build a pew here and there, on the floor, in the gallery, or on the heavy beams; and the aisles ran in a serpentine line around the pews. Persons were seated according to their rank or station in life or society, and "Mr." was a title of great distinction, to which a very small proportion attained.

The distance persons walked for worship is incredible in our day, although well attested. The South Church at the Piscataqua was for a long time the only place of worship for Newington, Rye, Greenland, and Newcastle, and it was no uncommon thing for persons to walk six or eight miles, and sometimes carry an infant child. Before the town of Bedford was set off, its inhabitants attended worship at Londonderry, and performed the journey on foot, a distance of twelve miles. The order of service was generally as follows: The drum was beaten or the bell rung by nine of the clock; the pastor prayed a quarter of an hour; the teacher read and explained a chapter; a psalm was dictated by one of the ruling elders and sung; the pastor preached a sermon and sometimes gave an exhortation without notes; the teacher closed with a prayer and benediction. Services began at two in the afternoon and followed the same order. When a minister exchanged, the ruling elder said publicly after the psalm was sung: "If this present brother hath any word of exhortation for the people at this time, in the name of God let him say on." Before departing in the afternoon, one of the deacons said: "Brethren and the Congregation, as God hath prospered you, so freely give." Then the magistrates and chief gentlemen first, then the elders and all the congregation of men, and most of them that were not of the church, all single persons, widows, and women in absence of their husbands, went up one after another one way and laid their offerings of money, chattel, or fruits upon the deacons' seats, and passed out by another way. It was somewhat like the old Greek idea of worship,—it was not so much what you *got* at the altar, but what you *brought* to it. Persons were appointed to have inspection of the audience during the public exercises, whose frequent rounds kept the children in order. The badge of their office was a pole with a knob on one end and a tuft of feathers on the other. With the one they rapped

on the men's heads, and with the other they brushed the ladies' faces when they caught them napping.

Music soon began to be deemed a necessary part of worship; and if it had its charms, it had also, as now, its accompanying criticisms and disaffections. The custom was to deacon the hymn, the precentor or leader of psalmody reading two lines, and all singing them, and so on to the end; but the singers wanted to break up the old habit of "lining," or "deaconing," and have it all their own way. At Stratham the matter was settled by a compromise, the deacon by vote of the town to read half the time; but still he complained of the bass viol, saying, "they had got a fiddle into the church as big as a hog's-trough"; while at Londonderry the precentor and choir both kept on at the same time, one reading and the other singing, until the latter gained the victory and sang the deacon down.

The observance of the Sabbath was strict, universal, and hedged around with all possible and ever-increasing legal restrictions. Fast by the meeting-house were the stocks and pillory,—those guardians of the peace and terrors of evil-doers, where every failure to listen to the gospel was followed by the penalty of the law. And there are individuals, organizations, societies, churches now, that would gladly, if they could, re-establish all the strict laws of the Puritans in regard to the Sabbath. If profanation of the Lord's Day were done proudly and with a high hand against the authority of God, it was to be punished by death. In October, 1668, the Court ordered "that whatsoever person in this jurisdiction shall travell upon the Lord's day, either on horseback or on foote or by boats from or out of their owne towne to any unlawful assembly, or meeting not allowed by law, are hereby declared to be prophaners of the Sabbath and shall be proceeded against as the persons that prophane the Lord's Day by doing servile worke."

In 1682 it was enacted, "For prevention of the prophanation of the Lord's day, that whosoever shall on the Lord's day be found to do unnecessary servile labor, travel, sport, or frequent ordinances in time of public worship, or idly straggle abroad, the person so offending shall pay a fine of ten shillings, or be set in the stocks an hour; for discovery of such persons it is ordered that the Constable, with some other meet person

whom he shall choose, shall in the time of public worship go forth to any suspected place within their precincts to find out any offenders as above."

Jeremiah Mason tells the story, that returning to Portsmouth for a college recess, he was overtaken and delayed by a storm on Saturday, and Sunday morning quietly pursued his journey on horseback. He passed a country schoolhouse or meeting-house where the people were gathering for worship. Some distance on he saw a man approaching on horseback, and as they met, the man asked him where he was going. Mason explained, when the man said he was the constable and was appointed to see there was no profanation of the Lord's Day, and that Mason must return and attend the two services at the meeting-house, and at sunset he could pursue his journey; and drew his horse across the narrow country road. He was a small man on a small horse; Mason was a very large man on a very large horse. Mason went back some distance, and suddenly turning and urging his horse, the constable called out to him, "Where are you going?" "I am going right over you"; and he went on to his home.

We hear much said about what shall be done for religious education—for which there seems no time now in this absurdly busy world—but there was abundant opportunity for whatever religious education could be given when such a regulation as this was in force; "to the end that the Sabbath may be celebrated in a religious manner," it is ordered "that all that inhabite the plantation, both for the general and particuler employments, may surcease their labor every Saturday throughout the yeare, at three of the Clock in the afternoone, and that they spend the rest of that day in catechizing and preparacon for the Sabbath as the minister shall direct." There is a record of an agreement with some converted Indians who were asked, "Will you refrain from working on the Sabbath?" The answer was, "It is easy for us; we have not much to do any day, and we can well rest on that day."

I hope to show to this Society before long, by one or two papers, that there is really no question which presents fewer embarrassments than the Sunday one, if we examine it in the historical sense, free from outgrown theological interpretations of scriptural and sectarian prejudices.

Mr. JOHN NOBLE read a paper on "Legislation in regard to Highway Robbery in Massachusetts," as follows:—

In Notes and Queries in the "Boston Transcript" of 4th February there was a reference to what seemed a startling occurrence,—the hanging of a woman upon Boston Common in 1789 for snatching a bonnet from another woman's head. It is as follows:—

Note 2182. The enclosed clipping from a Boston paper of several years ago recently came to my notice.

I am a granddaughter of Margaret Bender, who married in 1793. When a child I once heard a member of our family say that Rachel Wall, besides seizing Margaret Bender's bonnet, tried to pull out her tongue.

It was said that my grandmother never ceased to deplore the fact that a life was forfeited on her account. C. T. S.

#### HANGED FOR STEALING A HAT.

Just at the spot, nearly opposite Mason Street, where preparations have been made for an entrance to the subway on the Common, in which the tracks for south-bound cars are to be deflected westerly before intersecting the Boylston street branch in order to resume the parallel at Tremont street, is the point which may be said to have witnessed the most unaccountable execution on record in this State.

"Is it true that Governor John Hancock ordered a woman to be hanged on the Common for snatching a bonnet?" was asked by a Bostonian as he passed this spot where the subway operations are the centre of curiosity.

There is at the State House a document with the bold autograph that headed the signatures of the Declaration of Independence. Governor John Hancock, under date of Oct. 8, 1789, and in language identical with that addressed to Sheriff O'Brien in connection with the hanging of Gilbert, with the appropriate variation of time and place, ordered Joseph Henderson, "sheriff of our county of Suffolk," to hang Rachel Wall, on Boston Common, on the 20th of that month.

To find the specific cause, the record of the court that convicted her was searched. It said that Rachel Wall, on the 18th of March, 1789, at Boston, on the public highway, assailed Margaret Bender, and with "bodily force" seized and put on the bonnet of said Bender, "of the value of seven shillings." "This," says the record, "did she carry away against the public peace of this Commonwealth." In the document "sundry other thefts" were referred to, but in point of fact the tradition in the case as generally believed is that the offence was one

involving a quarrel between two women, one of whom snatched the bonnet of the other. The sentence of execution was duly carried out, under the rule of the first Governor of our Commonwealth, and within four days of the time when the first President of the United States was welcomed on these streets. So it happens that in digging at this deviating point for subway tracks there are also dug up memories of an execution that would suggest the rule of a Draco rather than that of a Massachusetts patriot.

And the next week another: —

Answer to Note 2182. Consulting the family records, I find that Margaret Bender was born in 1772; she was therefore but seventeen years old in 1789, a mere girl, when Rachel Wall was hanged. She lived to the ripe age of seventy-two, loved and respected by all. Recollections of her forbid the thought that "the two women quarrelled." My impression from what I have heard of the occurrence is that Margaret Bender was the victim of a sudden and unprovoked assault, in which Rachel Wall tried by "bodily force" to pull out her tongue. Family tradition has it that this was the offence for which she was hanged.

C. T. S.

Later two or three country newspapers within and without the State took up the matter with various comments and reflections, and it provoked considerable interest.

The account seemed almost incredible, and worth looking into to see how justice was really administered here a hundred years or little more ago, and shortly after Massachusetts had become an independent commonwealth. An examination of the court records proved that the story, with some slight inaccuracies, was true. The record of the case, as formally set out, runs thus: —

*Record of the Supreme Judicial Court, held at Boston, for the County of Suffolk, 25 August, 1789, folio 257.*

William Cushing Esq: Chief Justice

Nathl. P. Sargeant

David Sewall

Francis Dana and

Increase Sumner, Esq: Justices

The Jurors for the Commonwealth of Massachusetts, upon their oath present, that at the Supreme Judicial Court, begun and holden at Boston, within and for the County of Suffolk, on the last Tuesday of August, in the year of our Lord, seventeen hundred and eighty five,



Rachel Wall of said Boston, Spinster, was, by the consideration of the Justices of the same Court, duly convicted of feloniously stealing, taking & carrying away the goods and chattles of Perez Morton, Esq. as by the records of the same Court there remaining, appears. And the Jurors aforesaid upon their oath aforesaid, do further present, that at the Supreme Judicial Court, begun and holden at Boston within & for the County of Suffolk, on the last Tuesday of August, in the year of our Lord, seventeen hundred and eighty eight, the said Rachel Wall, then standing convicted of the theft as aforesaid, was, by the consideration of the Justices of the same Court, duly convicted of breaking up and entering the dwelling house of one Lemuel Ludden, and feloniously stealing, taking and carrying away the goods and chattles of the said Lemuel, as by the records of the same Court, there remaining fully appears. And the Jurors aforesaid, upon their oath aforesaid, do further present, that the said Rachel Wall, afterwards, viz. on the twenty seventh day of March, in the year of our Lord, seventeen hundred and eighty nine, she the said Rachel Wall, then and there standing convicted of the several Thefts as aforesaid, with force and arms, at Boston, aforesaid, within the County of Suffolk aforesaid, in the public highway there, in and upon one Margaret Bender, in the peace of God, and of this Commonwealth then and there being, feloniously did make an assault, and her the said Margaret Bender in bodily fear of her life, in the highway aforesaid, then and there feloniously did put, and one bonnet of the value of seven shillings, of the goods and chattles of the said Margaret Bender, from the person, and against the will of the said Margaret Bender in the highway aforesaid, then and there feloniously and violently did steal, take and carry away against the peace of the Commonwealth aforesaid, and Law of the same in such case made and provided. And now before the Court there comes the said Rachel Wall under Custody of the Sheriff of said County, and being set to the bar here in her proper person, and forthwith being demanded concerning the premises in the Indictment above specified and charged upon her, how she will acquit herself thereof, she says that thereof she is not guilty, and thereof for tryal puts herself on God and the Country (Christopher Gore, & James Hughes, being assigned by the Court as Counsel for the prisoner). A Jury is immediately impanelled, viz. Benj<sup>t</sup> Clark, foreman, and fellows namely, Bossenger Foster, Ezra Penniman, Rufus Mann, Rob<sup>t</sup> Peirce, Caleb Beals, Jos. Draper, Ezekiel Richardson, Daniel Bell, Ebenezer Tucker, Jun. Silas Weld and Thomas King, who being sworn to speak the truth of and concerning the premises, upon their oath say, that the said Rachel Wall is guilty. And now the Attorney General moves that sentence of death might be given against the said Rachel Wall, the Prisoner at the bar; upon which it is demanded of her the said Rachel Wall, if she has or

knows ought to say wherefore the Justices here ought not upon the premises and verdict aforesaid to proceed to Judgment against her, who nothing further says, unless as she before [had] said: Whereupon all and singular the 'premisses' being seen, and by the said Justices here fully understood, It is Considered by the Court here, that the said Rachel Wall be taken to the Gaol of the Commonwealth from whence she came, and from thence to the place of Execution, and there be hanged by the neck until she be dead.

No evidence in the case has been preserved, and of the original papers there remain only the indictments and a bill of costs. Eminent counsel were concerned in the trial in the Supreme Judicial Court, — Robert Treat Paine, the Attorney-General, for the Commonwealth; and Christopher Gore and James Hughes assigned by the court for the defence.

The bill of costs indicates a trial of considerable length, and it also illustrates modes of procedure. It emphasizes the difference between the expense of a capital trial then and now.

Suffolk Court Files No. 106011. Paper No. 91.

Suffolk Sup. Jud. Court August 1789.

Commonwealth v. Rachel Wall convicted of Robbery.

Cost, before Justice Crafts . . . . . £0 " 16 " 4

Witnesses

Margaret Bender . . . . .	8d . . . . .	0 " 9 " 0
Col. Tho: Dawes . . . . .	2 . . . . .	0 " 6 " 0
Charles Berry . . . . .	2 . . . . .	0 " 6 " 0
John Berry . . . . .	2 . . . . .	0 " 6 " 0
John Soren . . . . .	2 . . . . .	0 " 6 " 0
Jn: Frazur Low . . . . .	2 . . . . .	0 " 6 " 0
John Soames . . . . .	2 . . . . .	0 " 6 " 0
Mary Barrett . . . . .	2 . . . . .	0 " 6 " 0
Jury fees . . . . .		1 " 18 " 6
Jn: Butterfield sum <sup>d</sup> Witnesses . . . . .		0 " 6 " 0
Entry and Writ to sum. Witnesses . . . . .		0 " 16 " 0
Exemplification of Record . . . . .		0 " 6 " 0
Copy of Bill . . . . .		0 " 1 " 0
Sheriffs Bar fee . . . . .		0 " 3 " 8
Taxing &c. 8/6 Copy of pannel 2/ . . . . .		0 " 5 " 6
		<hr/> £7 " 4 " 0

Order and Copy . . . . .	2 " 6
	<hr/>
	£7 " 6 " 6
Copy of former Conviction 2/4 . . . . .	2 " 4
	<hr/>
	7 " 8 " 10

Examined p<sup>r</sup> JN<sup>o</sup> TUCKER *Cler*

Copy Att<sup>r</sup>: JN<sup>o</sup> TUCKER *Cler*

Oct<sup>r</sup>: 29, 1790. It appearing to the Justices of the Sup. Jud. Court that the Costs against Rachel Wall convicted of Robbery by the Verdict of a Jury and executed amount to £7 " 8 " 10 agreeable to the Bill taxed within. Ordered, that the Sheriff of the County of Suffolk pay said Costs to the several Persons to whom they are due and owing from the fines and forfeitures in his hands (if sufficient he has for that Purpose) according to the Law in such Case provided

JN<sup>o</sup> TUCKER *Cler*

Endorsed

Copy of Bill of Cost  
v. Rachel Wall  
No. 90 Robbery  
Executed — To be paid  
by the Sheriff &c.  
Aug<sup>r</sup>: 1789  
Rec<sup>d</sup>: 8/8 my Bar Fee  
JOS. HENDERSON

The Warrant for Execution and the Return of the Sheriff thereon, are among the Council Files at the State House, and are as follows:—

Council Files 1789–1793 at State House.  
Commonwealth of Massachusetts.



JOHN HANCOCK

To Joseph Henderson Esq<sup>r</sup>  
sheriff of the County of Suffolk  
Greeting.

Whereas Rachel Wall of Boston in the County of Suffolk spinster now a prisoner in our Goal at Boston in our County of Suffolk was before our Justices of our Supreme Judicial Court begun and held at Boston within and for our County of Suffolk on the last Tuesday of August in the year of our Lord seventeen hundred & eighty nine convicted of the crime of highway Robbery and was then and there by our said Court duly sentenced to suffer the pains and penalties of death, as to us appears of Record, an exempli-

cation of which under the Seal of our said Court is hereunto annexed whereof Execution still remaineth to be done : — We therefore with the advice and consent of the Council pursuant to the Statute in that case made and provided command you, that on Thursday the eighth day of October next between the hours of twelve and four o'clock in the afternoon, at the usual place of Execution you cause Execution on the person of the said Rachel Wall to be done and performed in all things according to the form and effect of the said Judgment for which this shall be your sufficient Warrant — hereof fail not at your peril, and make return of this Writ with your doings herein into our Secretarys office on or before the twentieth day of October next.

In Testimony whereof we have caused our great Seal to be hereunto affixed — Witness John Hancock Esq' our Governor and Commander in Chief at Boston this tenth day of September in the year of our Lord one thousand seven hundred and eighty nine, and in the Fourteenth year of the Independence of the United States of America.

By His Excellencys Command  
with the advice and consent  
of the Council.

JOHN AVERY jun' Sec'

Suffolk ss. Boston, October 9<sup>th</sup> 1789 —

In Obedience to this precept to me directed, I removed the Body of the within Named Rachel Wall from the Goal the place of her Confinement to the Usual place of Execution where I hanged the said Rachel Wall by the Neck until she was dead, I therefore return this Warrant fully satisfied

JOS. HENDERSON *Sheriff*.

The Boston newspapers of the time give some few facts and furnish some additional particulars.

The occurrence seems to have excited but little comment, and the accounts in their brevity and quietness are in striking contrast with the flaming headlines and the multitudinous details of the journals of to-day. It was taken for granted that laws were made to be enforced, — and enforced without evasion or compromises, — and that the Executive was bound to see to their exact execution without faltering or shrinking from the obligation of his oath and the faithful performance of his official duty.

Extracts from two journals give the account of the offence and the ending of the affair : —

From the "Independent Chronicle and the Universal Advertiser," published in Boston, April 2, 1789:—

"A singular kind of robbery, for this part of the world, took place on Friday evening last: As a woman was walking alone, she was met by another woman, who seized hold of her and stopped her mouth with her handkerchief, and tore from her head her bonnet and cushion, after which she flung her down, took her shoes and buckles, and then fled. She was soon after overtaken, and committed to jail."

From the same paper of September 10, 1789:—

"Last Tuesday afternoon, Sentence of Death was pronounced against William Denniffee, William Smith and Rachel Wall, who were severally convicted of High Way Robbery at the Supreme Judicial Court, holden in this town; the sentence was pronounced by Chief Justice Cushing."

From the same paper of September 17, 1789:—

"Thursday, the 8th of next month, is appointed by his Excellency the Governour and Council, for the execution of William Smith, William Dennofee, and Rachel Wall, now under sentence of death for Highway Robbery."

From the same paper of October 8, 1789:—

"This day, between the hours of 12 and 4, William Dennofee, William Smith, and Rachel Wall, are to be executed, pursuant to their sentence, for the crime of highway robbery."

The "Mass. Centinel," published in Boston (on Wednesdays and Saturdays), has on September 12, 1789:—

"At the Supreme Judicial Court lately held here, William Smith, Rachel Wall, and William Dennoffe, were severally convicted of robbery, and sentenced to be hanged. . . .

"The Supreme Executive of this State has been pleased to order, that the execution of the sentence of death pronounced on William Smith, William Dennoffe, and Rachel Wall, for robbery, shall be on Thursday the 8th of October next."

From the same paper of October 10, 1789:—

"On Thursday were executed William Denoffe, William Smith, and Rachel Wall, pursuant to their sentence for highway robbery."

The law as it stood at the time was rigorously enforced. No doubt or hesitation seems to have arisen. A question may perhaps reasonably suggest itself whether, though the offence fell technically within the language of the law, it was within its spirit and intent. The point, however, seems not to have

been taken, no question to have been raised, and no attempt to secure a stay or commutation of the sentence. The prisoner was an old offender, the crime fully proved, and that seems to have been considered enough. Evidently the weak commiseration for a convicted criminal now so common found little favor then.

The case itself naturally suggested an inquiry as to how Massachusetts had dealt with the crime of highway robbery in its several periods of colony, province, and commonwealth.

Old Fletcher, of Saltoun, said: "I knew a very wise man that believed that, if a man were permitted to make all the ballads, he need not care who should make the laws of a nation." Perhaps a corollary to that might be: Given the laws of a people, its civil history is told. And even in the old-fashioned preambles no little history is wrapped up.

The first law touching the crime of highway robbery was in 1642. The colonists brought with them the general principles of the common law and the habits of legal practice which they had acquired as Englishmen. The courts established were required to proceed "to heare and determine all causes according to the lawes nowe established, & where there is noe lawe, then as neere the lawe of God as they can."

And always the magistrates were inclined to let laws "arise *pro re nata* upon occasions." No occasion seems to have arisen for a dozen years after their landing, owing either to the character of the settlers or their situation and surroundings, or other causes.

The earliest legislation came at "The Generall Court of Elections, the 18<sup>th</sup> Day of y 3<sup>d</sup> Mon<sup>th</sup>, 1642": —

"If any man shall breake up or robb any dwelling house on the Lords day, when the inhabitants are gone to the worship of God, or comit burglary upon any other day, or by night, or shall rob any pson on the way or open feilds, or shall Steale any other goods left abroad, or in the house, shall bee severely punished, according to the nature of the offence, & the severall aggravations thereof, as y<sup>e</sup> iudges shall appoint; this lawe to stand in force till the Gen'all Co't doth alter it."<sup>1</sup>

This law was of the utmost flexibility, and left everything to the discretion and determination of the judges. Later in the Colonial Laws it took on definite penalties: —

<sup>1</sup> Mass. Col. Rec., vol. ii. p. 22.

*"Forasmuch as many persons, of late yeares have been & are apt to be injurious to the goods and lives of others, notwithstanding all care and meanes to prevent and punish the same.*

"It is therefore Ordered by this Court and Authority thereof, that if any person shall commit Burglary: by breaking up any dwelling house or shall rob any person in the field or highwayes, such person so offending, shall for the first offence, be branded on the forehead with the letter (B) And if he shall offend in the same Kinde the second time, he shall be branded as before & also be severely whipped; and if he shall fall into the like offence the third time, he shall be put to death, as being incorrigible.

"And if any person shall commit such burglary or rob in the fields or house on the Lords day; besides the former punishment of branding, he shal for the first offence have one of his eares cut off, And for the second offence in the same kind he shal lose his other Eare in the same manner, And for the third offence, he shal be put to death [1642-1647]."<sup>1</sup>

This law sufficed through the period of the Colony. The records of the Court of Assistants, which alone had jurisdiction of "all Capital and Criminal causes, extending to life, member or banishment," are significant, so far as extant, as showing the rarity of the specific offence. There is, however, a gap of thirty years between 1643 and 1673, when the records as such are not extant.

Between 1630 and 1644 no case of highway robbery appears upon the records of the Court of Assistants, but there are several trials and sentences for stealing. The penalty imposed is fine, restitution, whipping, and occasionally branding, according to the gravity of the offence.

In 1642 a woman "for hir many theftes and lyes was censured to bee severely whipt, & condemned to Slavery, till shee have recompenced double for all hir theftes."<sup>2</sup>

In 1635, in the case of "a knowen theife, who since his coming hither hath comitted dyvers felonnyes &c. as appeareth by his examinacon, It is therefore ordered that the said Scarlett shalbe seuerely whipt & branded in the forehead with a T & after sent to his said Maister whome the Court enioynes to send the said Scarlett out of this Iurisdiccon" &c.<sup>3</sup>

<sup>1</sup> Colonial Laws (Whitmore's ed.), 1660-1672, p. 127; also 1672-1686, pp. 12, 18.

<sup>2</sup> Records of the Court of Assistants, vol. ii. p. 118 (reprint).

<sup>3</sup> *Ibid.* p. 60.

And in the records from 1673 to 1692 no case of simple highway robbery is found. There are cases of burglary and piracy, where robbery is charged as an incident and the punishment varies with the offence. In one in 1681 the sentence is "to be branded in the forehead w<sup>th</sup> the letter B. and be seuerely whipt w<sup>th</sup> thirty stripes paying treble damages . . . discharging fees of Court & y<sup>e</sup> prison standing Comitted till Sentence be performed."<sup>1</sup>

And in another, in 1685, "to be branded w<sup>th</sup> the letter B on y<sup>e</sup> forehead & have his Right eare Cutt of discharging y<sup>e</sup> charge of y<sup>e</sup> witnesses tryall & fees & then make Restitution to the party Injured & in defect thereof to be sold to any of the English plantations. And for another burglary tried at the same time "to be againe Branded . . . & have his left eare cutt of," etc. as before.<sup>2</sup> The offenders seem most frequently to have been bond-servants.

Then came the Statutes in the time of the Province, and changes in conditions are evident.

Acts passed at the Session begun and held at Boston, on the thirtieth day of May, A. D. 1711.

#### CHAPTER 2.

To the intent her Majesty's leige people may be in peace, and out of fear of being assaulted and robbed by ill-minded wicked ruffians, as they are travelling the common roads or highways, or of being insulted and indecently treated or abused as they are civilly walking and recreating themselves in the fields, streets or lanes in towns, —

Be it enacted by His Excellency, the Governour, Council and Representatives in General Court assembled, and by the Authority of the same, —

Sect. 1. That every person and persons that shall be convicted of assaulting, robbing, and taking away from the person of another, travelling the common road or highway, any money, goods, clothing, or other things whatsoever, shall be punished with burning in the forehead or hand, suffer six months' imprisonment, and render treble damages to the party robbed; and upon a second conviction of the like offence, shall be deemed a felon, and suffer the pains of death, as in cases of felony.

Passed June 8, pub. June 16, 1711.<sup>3</sup>

Section 2 provides for case where a woman is the sufferer.

<sup>1</sup> Records of the Court of Assistants, vol. i. p. 200.

<sup>2</sup> *Ibid.* pp. 283, 284.

<sup>3</sup> Province Laws (Goodell's ed.), vol. i. p. 674.



This Act appears to have become in time insufficient, and a Committee of the Legislature is appointed to draft another.

Note on Chapter 21. "Nov. 17, 1761. In Council Ordered That Peter Oliver and Harrison Gray Esq" with such as the honorable House shall join be a Committee to bring in a Bill in addition to the Act for Suppressing of Robberies and Assaults.

In the House of Representatives Read and Concurred and Cap<sup>a</sup> Goldthwait, M<sup>r</sup> Otis and M<sup>r</sup> Paine are joined in the Affair.

(Council Records, vol. xxiv. p. 106.)<sup>1</sup>

Acts passed at the Session begun and held at Boston, on the twelfth day of November, A. D. 1761.

#### CHAPTER 21.

Whereas the act intituled "An Act for suppressing robberies and assaults" made and passed in the tenth year of Queen Anne, is insufficient to restrain ill-minded and wicked ruffians from assaulting and robbing his Majesty's liege people as they are travelling the common roads, highways or streets, —

Be it enacted by the Governor, Council and House of Representatives,

Sect. 1. That every person or persons that shall, after the first day of December next, assault, rob and take away from the person of another, in or upon any highway, street, passage, field or open place, any money, goods, cloathing or other thing, whatsoever, and shall be thereof convict, shall be adjudged guilty of felony, and suffer the pains of death accordingly, without benefit of clergy.

Passed and published November 28, 1761.<sup>2</sup>

Some three years later the attention of the Grand Jury is called to this Act: —

Superior Court of Judicature.

March Term, 1765. V. George Ter.

Present. The Honourable C. J. Justices Lynde & Cushing.

In the

Charge to the Grand Jury by the Chief Justice Thomas Hutchinson:

"There is another Offence — you have seen it in the public Prints — of Robbery on the Highway — Money demanded and actually taken; an Offence very heinous in its Nature, and very rare in this Country, and I hope it will be universally discouraged; and I question whether it is universally known, that by a late Law of this Province, it is Death to commit a Robbery on the Highway."<sup>3</sup>

<sup>1</sup> Province Laws, vol. iv. p. 646, notes.

<sup>2</sup> *Ibid.* (Goodell's ed.), vol. iv. p. 488.

<sup>3</sup> Quincy's Mass. Reports, p. 114.

The Province passed away, the Commonwealth succeeded, and there came new legislation.

Acts of 1784, ch. 52. [January Session.]

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,

That every person who shall feloniously assault, rob and take from the person of another, any money, goods, chattels or other property that may be the subject of theft, and shall be thereof convicted, shall be adjudged guilty of felony, and shall suffer the pains of death.<sup>1</sup>

March 9. 1785.

For assault with intent, the punishment is: —

fine not exceeding 1000 pounds, imprisonment, setting in the pillory, whipping, setting on the gallows with a rope about his neck [and the other end thereof thrown over the gallows,] confinement to hard labor, not exceeding three years, or either of these punishments, according to the degree and aggravation of offence.

It was under this Act of 1784 that Rachel Wall was tried and convicted and executed. It held in force for twenty years.

The Acts of 1805, ch. 88, approved March 11, 1806, repealed the Act approved March 9, 1785, together with various other Criminal Acts.<sup>2</sup>

Acts of 1804, ch. 143, § 7, approved March 16, 1805, imposed solitary imprisonment not exceeding two years, and afterwards confinement to hard labor for life, — upon conviction in the Supreme Judicial Court.<sup>3</sup>

Acts of 1818, ch. 124, § 1, provided the punishment of death for assault and robbery, if robber armed with dangerous weapon,<sup>4</sup> leaving the punishment as before, in case the robber was not armed, — life imprisonment.

Thirty years more brought another change, a mitigation in the severity of the punishment: —

Revised Statutes of Massachusetts, 1836, ch. 125, § 15.

If any person shall, by force and violence, or by assault and putting in fear, feloniously rob, steal and take from the person of another any money or other property, which may be the subject of larceny (such robber not being armed with a dangerous weapon), he shall be punished by imprisonment in the State prison for life or for any term of years.

<sup>1</sup> Laws and Resolves of Massachusetts, 1784-5, p. 134.

<sup>2</sup> *Ibid.*, 1804-5, p. 504.

<sup>3</sup> *Ibid.*, p. 243.

<sup>4</sup> Laws of Massachusetts, vol. ii. p. 501.

§ 13. If robber armed — death — changed by St. 1839, ch. 127, to imprisonment for life.

*Commonwealth v. Martin*, 17 Mass. 359, has an elaborate opinion by C. J. Parker, — that to make the offence capital it is sufficient that the robber be armed, with intent to kill or maim, if necessary to effect his purpose, and he having the power to do so.

General Statutes of Massachusetts, 1860, ch. 160, § 24, has the same provision as Revised Statutes, ch. 125, § 15 : —

§ 22. If the robber be armed, imprisonment in the State prison for life.

Public Statutes of Massachusetts, 1882, ch. 202, §§ 24 and 22, has the same penalties.

And the same remains the law to-day.<sup>1</sup>

These various Statutes, running through two centuries and a half, mark successive stages in the conditions and in the development of the State and in the dealing with this crime.

The reading of the papers by Dr. De Normandie and Mr. Noble elicited some extemporaneous remarks by Mr. EDWARD CHANNING, who spoke at considerable length of crimes and their punishments in the colonial period, not only in Massachusetts but also in the other colonies, and expressed the opinion that the punishments were much less severe here than they were in the mother country.

Mr. FRANKLIN B. DEXTER, of New Haven, Connecticut, a Corresponding Member, read the following paper : —

*Abraham Bishop, of Connecticut, and his Writings.*

Abraham Bishop died in 1844, — not recently enough to be held in general remembrance, and not so long since as to have become, if he ever will, a really historic character. In these circumstances I have not endeavored to gather any personal reminiscences, and shall confine myself mainly to tracing his story by means of what he put in print about himself.

He was the eldest son of Deacon Samuel Bishop, a respected citizen of New Haven, who was much employed in public office, as Deputy in the General Assembly, Town Clerk, Mayor

<sup>1</sup> Revised Laws of Massachusetts, 1902, pp. 1744, 1745.

and Judge of the County and Probate courts. The son was so precocious as to begin his college course in Yale at the age of eleven years and nine months, in the class of 1778, the most brilliant class of that generation, with such comrades as Joel Barlow, Noah Webster, Oliver Wolcott, Jr., Zephaniah Swift, and Uriah Tracy.

Graduating at fifteen and a half, he could afford to proceed leisurely, and did not take his examination for the bar until April, 1785, at the age of twenty-two.

Early in 1787 he started on an extended European tour, then a rare experience for a New Haven youth, from which he returned twenty months later, as President Stiles wrote in his Diary, "full of Improvement and Vanity." This tour, mainly performed on foot, is best remembered by allusions to it in "The Echo," a collection of poetical squibs by the Hartford wits, which ridicules his alleged gift of the shoes which had carried him over his journey, to the Museum of Yale College, and describes their subsequent fate, in being tossed out of window by an unappreciative tutor. What basis of truth there was in the tale, I do not attempt to decide.

One thing more should be said of this foreign trip, that the time spent in France seems to have left a permanent mark on Mr. Bishop's character, in the unsettlement of his inherited religious views and the development of a passion for democracy.

We learn from Dr. Stiles's Diary that the traveller launched out at once on his return as a public orator, on a stage of his own providing. He writes, for example, on December 25, 1788: "Mr. Bishop began his Lecture on Moral Philosophy in his Theatre or Play House,"—that being a house just built by his father, who had been persuaded to alter it to suit the son's purpose. And again, three weeks later: "In the Evening I attended Mr. Bishop's political Lecture against the new Constitution, as I did Mr. [William] Hillhouse's Defence of the Constitution last Monday." It was certainly in keeping with his later career, that the first report of him as a political speaker should be in the character of an opponent of what we know as the *Federal* Constitution.

In the following year another characteristic performance was his posing as an innovator in educational theory. He had evolved an elaborate plan for a graded school system, embracing the public and private schools of the city, and the Hopkins

Grammar School, an old endowed foundation preparatory to college, as well. His plan was straightway approved and adopted by a large representative meeting of citizens, and he was himself named Director of the associated institutions, and head of the Academy into which the Grammar School was to be transformed; but beyond a public oration by the Director, and five or six explanatory articles in the newspapers from the same hand, the scheme seems to have had no results, and soon drops out of sight. With its collapse his employment in the Grammar School also ended, and we next hear of him in Boston, where he spent most of the year 1791.

Of his occupations while here I can only say certainly that he was a frequent contributor to some of the local papers on political and philosophical subjects; probably also he gave, or at least offered to give, instruction in oratory and other branches.

And here, in October, 1791, his first known pamphlet was printed by Isaiah Thomas. This was: "The Triumph of Truth. — History and Visions of Clio. By John Paul Martin, A. M., M. S. P." The origin and meaning of this pseudonym are not clear; but I note that several articles contributed by our author in the same year to the "Boston Argus" are signed with the same name or with its initials. The piece is a sort of rhapsody, professedly in support of Christianity, and pretending to describe the spiritual progress of a friend named Clio. A prefatory note states that parts of it "will be delivered by the author, as an exercise of sacred Oratory," with intervals for the introduction of music; and suitable hymns by Watts are noted in the text. I cannot make out whether the whole thing was a hidden attempt at burlesque or a pious affectation.

Another result of his Boston residence was his marriage in Newburyport, in March, 1792, at the age of twenty-nine, by the Rev. Dr. Bass, to Nancy, only daughter of the very rich and very eccentric "Lord" Timothy Dexter, a young school-girl in her sixteenth year.

Then his wanderings ended, and he returned to New Haven, to make his home in the old family residence on the corner of Elm and State streets for the rest of his life.

He had no legal practice of any moment, but held for a time the appointment of County Surveyor, and in 1795 became

clerk of the County Court, as also of the Probate Court in the following year. To these offices he added, when the Superior Court of New Haven County was established, in 1798, the clerkship of that court also; but lost these employments after two or three years.

At his father's death, in 1803, he succeeded him as Collector of the Port of New Haven, and this office he retained until President Jackson's accession in 1829. In the preceding campaign he had opposed Jackson, having by this time adopted protectionist views, and accordingly he failed to secure a reappointment. He was then sixty-six years of age, a dozen years younger than his father had been when selected for the same post; but he accepted his fate, and spent the remaining fifteen years of his life in retirement.

His marriage was unhappy, and after the birth of a daughter he secured a divorce from his wife, who returned to Newburyport. She outlived her husband, an object of constant care from mental and physical infirmity. He was subsequently twice married, and at his death, in April, 1844, was survived by three daughters and by his third wife, who did not die until 1863.

Of his active interests, outside of his official engagements, during the first years after his final return to New Haven, I find no trace except in a pamphlet, in two parts, which he printed at Hartford, in 1797-98, with the title "Georgia Speculation Unveiled."

He was probably one of the many Northern victims of the speculative land companies to which a corrupt Georgia Legislature had pretended to sell its fictitious rights to the Indian land on its western borders; and this essay discusses, with considerable parade of legal technicalities, the objectionable features of what was really a fraudulent transaction.

Mr. Bishop's ability as a ready writer and speaker was now recognized, and this led naturally enough to his appointment in 1800 as orator of the Phi Beta Kappa Society in the college at their annual public meeting, which was regularly held in the Centre Church on the evening before Commencement.

In that year and the years just after, party spirit in New Haven ran as high as it has ever run in her history; and not only was Abraham Bishop any man's equal in ardent partisanship, but to him belongs the distinction of outstripping all his

contemporaries through the help of this occasion and his mode of using it.

He was of course an Anti-Federalist or Republican; and here, if he dared seize it, was a chance of capturing a crowded audience, mainly of the opposite political faith. To be sure it was unprecedented to treat of practical politics on these occasions; but he went ahead, and printed in advance his oration "On the Extent and Power of Political Delusion," which was neither more nor less than a campaign speech. He sent a copy, on the day but one before the date of the meeting, to the committee of the Society, and there was just time for them to insert in the newspaper of the following day an indignant repudiation of the orator and all his works by the cancelling of his appointment. But he was not caught napping, and the same paper contained a notice from Mr. Bishop that his oration would be independently delivered, in the meeting-house of the White Haven Society (in which his father was a deacon), and that it would be on sale immediately.

The extraordinary oration, thus effectively advertised, is in a totally different vein from the author's previous pamphlets. The style is characterized by great apparent frankness, verging on impudence, by great facility in the use of Scripture phrases, and by the strongest partisan flavor. Perhaps, in view of the author's later career as commercial agent of the government at the port of New Haven for over a quarter of a century, as striking a point as any is his fixed opposition at this time to all extension or fostering of commerce. I may not stop to analyze the argument, but I quote the opening and closing paragraphs as samples of the style. The orator begins: —

"On the eve of a day set apart for a literary feast of fat things, I have adjudged that a plain dish would be most acceptable. Indeed, had it been assigned to me to speak to you of Greece and Rome, of the inexhaustible treasures of Hebrew, Greek and Arabic, or to have discussed the height and diameter of the antediluvians, or to have explained the cause why a black man is not a white man, or why an elm tree does not bear apricots; you must have sat here in silence, and the spirit would never have moved me to address you. Avoiding literary discussion, I have selected as the theme of this occasion, the extent and power of political delusion."

And he closes thus : —

“ If in any of you present, delusion has wrought its perfect work, if you have bowed the knee to the political Baal, if you are slavishly devoted to the *self-styled* friends of order and good government, then bid an eternal adieu to the freedom which you never merited ; prepare your necks for the yoke, hail Issachar as your venerated ancestor, say to delusion, ‘ thou art our father,’ and to funding system, federal city, foreign intercourse, army, navy, ‘ ye are our brethren and sisters.’ ”

The flame of indignation at this performance, in a community overwhelmingly Federal, was fanned by two published replies, — one, issued within a week, anonymous in form, but by clear internal evidence the work of Mr. Bishop’s class-mate, Noah Webster, then living in New Haven, which bore the stinging title, “ A Rod for the Fool’s Back,” and the other also anonymous, published at Hartford a month later.

The strategical boldness of this incident added to Bishop’s popularity and prominence in the councils of his party, and led to his appointment as orator at a mammoth Republican festival held in Wallingford, in New Haven County, in March, 1801, to celebrate the election of Jefferson and Burr, who had been inaugurated the week before. The occasion was a notable one, and the orator’s contribution was ambitious and telling. It began with a suggested comparison, almost blasphemous to many who would read it, between “ the illustrious chief who, once insulted, now presides over the Union,” and the Saviour of the world, “ who, once insulted, now presides over the universe ” ; and then proceeded to develop, at great length and with many distinct personal allusions, the proposition “ that the character of the self-styled friends of order and good government, at the beginning of the Christian aera, in the successive ages since, and at the present moment, is precisely the same combination of error, self-love, deceit, hostility to the true interests of man, persecution and cruelty.”

The style, and to some extent the arguments, are the same as in the author’s New Haven oration, and the local situation in Connecticut is held up to the strongest reprobation. This was in fact almost the opening gun in the long campaign which ended in the adoption of the State Constitution of 1818.

When it was printed, an appendix of half a dozen pages was added, giving a racy account, from the author’s point of view,



of the Phi Beta Kappa affair in all its details. Raciest perhaps of all its hits was that addressed to Noah Webster, who was fond of giving advice, and is here advised in turn "to persecute to conviction and sentence of death, the man or men who ever told him that he had talents as a writer."

This pamphlet was quite of a sort to recommend Mr. Bishop to the President's approval, and no wonder that the Federalists surmised some connection between the oration published in May, 1801, and the appointment by Jefferson in June of Deacon Samuel Bishop, then almost an octogenarian, as Collector of the Port. It was of course charged that the nomination of the highly respectable father was a blind to cover what was practically a reward for the highly obnoxious son; and it was thoroughly characteristic of Abraham Bishop that he himself presently took a hand in the controversy. After the New Haven remonstrants against the appointment had memorialized the President, and the President had replied to them, the new Collector's son published over his own name, in a short-lived New Haven newspaper called "The Sun of Liberty," a slashing criticism of his opponents, which is even now vastly amusing reading. The opening sentences are as follows:—

"When the islanders of Melita saw the venomous beast fasten upon the hand of Paul, they considered it a gone case with him; but Paul shook the beast from his hand and felt no harm. From this we learn that the Melita salamanders were very harmless, for with all their disposition to destroy they had not the power. I have no intention of comparing myself with Paul, but my direct object will be to show *that a number of the New Haven remonstrants are a miserable set of Salamanders.*"

In 1802 Mr. Bishop appeared as an author in a more pretentious manner by the publication of an octavo volume of 166 pages, entitled "Proofs of a Conspiracy against Christianity, and the Government of the United States; exhibited in several views of the union of Church and State in New-England."

The title was of course parodied from that of a foolish book issued five years before by Professor Robison, of Edinburgh, which had been widely read on both sides of the Atlantic, "Proofs of a Conspiracy against all the Religions and Governments of Europe, carried on in the secret Meetings of Freemasons, Illuminati, etc."

To those who know Connecticut history it is evident that our author's book, dealing with the union of Church and State, was really an argument for a revision of the State Constitution. I quote a few sentences from the Preface, to show the spirit of the whole : —

“ Living in the midst of men whom my subject contemplates, it has occurred to me that their steady habits and good professions have brought them sufficient profits, and that our pious ancestors have been bought and sold often enough ; therefore that some man, who has paid his proportion for these habits, should take it in charge to put an end to the traffic, and to place the dealers in a way of laying in a new stock of their own manufacture.

“ This subject is like a new country ; he who first enters into it must encounter some briars and some serpents ; but a succession of laborers, working with their axes at the roots, will open a way through the wilderness, and hereafter the solitary place will be glad for them, and the desert will rejoice.”

In this, as in his former pieces, but with even a more unrestrained tongue, the author indulges in the frankest and most pungent dissection of, and attacks upon, his contemporaries and neighbors, and in shrewd exposure of the weak points in the Federal armor. He was more in his element as a pamphleteer ; but his book remains as a part of the effective warfare of a long campaign.

After this, Mr. Bishop but once more appeared in a printed pamphlet with his own name. This was in 1804, and the performance was another “ Oration ” professedly in honor of Jefferson and the acquisition of Louisiana, delivered at a Republican festival in Hartford ; but the main strength of the orator was given, as before, to a scathing arraignment of the abuses of Connecticut government under the old alliance of Church and State. Here, for the first time, the discovery was announced that Connecticut was without a constitution, and a constitutional convention was, for the first time, prominently advocated. I quote a single paragraph, which suggests the trend of the main argument : —

“ Republicans, what our eyes have seen, what our ears have heard, and what we have personally experienced, will be better impressed on our memories than what our fathers have told us. We have lived in a State, which, exhibiting to the world a democratic exterior, has actually

practised within itself all the arts of an organized aristocracy, under the management of the old firm of Moses and Aaron."

I ought also to refer to two other pamphlets in this contest, for which he was responsible, though not bearing his name. One, issued in 1802, without any name of place or printer, was entitled "Church and State, a Political Union, formed by the enemies of both"; and consisted mainly of the documents connected with two famous quarrels of that date, — the first between the Rev. Stanley Griswold, of New Milford, and the Rev. Dan Huntington, of Litchfield, Connecticut, and the second between Colonel Ephraim Kirby, of Litchfield, and the Rev. Joseph Lyman, of Hatfield, Massachusetts. Both were occasioned by accusations of slander, growing out of political rancor, and chiefly interesting in connection with the personal fortunes of the participants.

In 1804 he wrote and published another pamphlet, which purported to be an "Address by Major William Judd," of Farmington, to the people of the State, on his prosecution before the General Assembly for taking part, though an officeholder, in a convention which denied the legal powers of the existing government. The pamphlet remains as a landmark in the struggle which Judd himself did not live to see.

In 1804 Abraham Bishop was forty-one years of age. He was just settled in a lucrative public office, which imposed responsibility and dignity beyond ordinary private station; and with this year his activity in the rôle of public censor ceased. He still made himself felt through anonymous writing in the newspapers; but his appearances in pamphlet warfare were practically over.

One of the few known specimens of his further authorship is "Some Remarks" published without his name in 1808 in criticism of a letter by the Hon. Timothy Pickering, then a Senator from Massachusetts, which condemned Jefferson's policy of an embargo as likely to lead to war with England. The change of tone in this pamphlet as compared with most of Mr. Bishop's other writings, is very marked; and the result is a decorous and loyal defence of the President, without the personal assaults and local allusions which are so characteristic of his earlier essays. It is all very proper, but alas! very dull.

I trace his hand only once more in any separate publication,

and this is in an anonymous pamphlet published in 1824, made up of articles contributed to a New Haven newspaper in that year and entitled "Remarks on Dr. Griffin's Requisition for 700,000 Ministers." These form a slashing criticism of a speech at a meeting of the American Education Society in New York by the Rev. Dr. Edward D. Griffin, then President of Williams College, in which he made a somewhat rhetorical plea for the evangelization of the world. In this Mr. Bishop finds an excuse for a caustic attack on the policy of foreign missions and kindred enterprises. He pretends to find in the advocacy of the spread of missions, of Bible distribution, and of ministerial education, renewed dangers to civil and religious liberty.

In the preparation of these hasty notes I have glanced over nearly eight hundred pages of Abraham Bishop's published compositions, and they leave with me the clear impression of strong native ability, combined with quick mother-wit, and a keen perception of the ludicrous. Convinced of the justice of his own contention, he gave his adversaries hard blows, delivered fairly and squarely.

In a time of intense party feeling, no doubt there were intrigues on both sides, and I am far from claiming that his skirts were clear of blame; but although in his writings there is abundance of vanity, of perverse logic, and of bad rhetoric, there is also a certain buoyancy and openness, an absolute fearlessness and apparent confidence in his cause, which compel one's sympathy if not one's admiration. In his palmy fighting days one can see that he relished the combat heartily, and he carries his reader with him to the finish, whether he makes him a convert or not. We stay to see the end of the fun, and there lingers with us a kindly feeling for the sturdy champion who has kept us so well entertained in a plucky fight against tremendous odds. And when the full history of Connecticut politics in the beginning of the nineteenth century comes to be written, there will be no more interesting or diverting chapter than that which treats of Abraham Bishop.

Remarks were made during the meeting by Messrs. WILLIAM R. THAYER, GRENVILLE H. NOBCROSS, EDMUND F. SLAFTER, and JAMES F. HUNNEWELL.

A new volume of the Proceedings—volume eighteen of the second series—was ready for distribution at this meeting.

## ANNUAL MEETING, APRIL, 1905.

THE Annual Meeting was held on Thursday, the 13th instant, at twelve o'clock, noon. In the continued absence of the President, who had not returned from his visit to Egypt, the senior Vice-President was in the chair.

After the reading of the record of the March meeting and of the list of donors to the Library, the VICE-PRESIDENT said:—

I have learned only recently of the death of the Abbé Henri Raymond Casgrain, of Quebec, who was chosen a Corresponding Member of this Society on February 12, 1891. He was a son of the Hon. Charles E. and Elizabeth Anne (Bâby) Casgrain, and was born on December 16, 1831, at Rivière Ouelle, County of Kamouraska, Province of Quebec. He died on February 11, 1904, in the Convent of Les Religieuses du Bon-Pasteur, Quebec, to which he retired during the last thirty years of his life. The Abbé had been a prolific writer of historical works and papers, particularly those connected with Canadian subjects. He was a warm friend of Francis Parkman, and like him was afflicted with a severe affection of the eyes, which at times compelled him to withdraw from all literary labor. He studied theology and was ordained to the priesthood, but owing to his physical disability he was obliged to give up active ministerial duties. Among his works is a sketch of Parkman, published at Quebec in 1872, which gives a short account of the author's visit to Harvard College together with allusions to Longfellow and Agassiz.

Rev. Dr. EDMUND F. SLAFTER presented a play-bill or summary of "Don Juan; or the Libertine destroyed: a grand pantomimical ballad, in two parts, as performed at the Boston Theatre," between the 2d of November, 1795, and the 20th of January, 1796, which he thought was of considerable interest, as it indicates to some degree the character of the Boston theatre at that early period.

Mr. Henry G. Pearson, of Boston, author of the *Life of Governor Andrew*, was elected a Resident Member.

Mr. Don Gleason Hill was appointed to write the memoir of the late John T. Hassam.

Mr. NATHANIEL PAINE communicated the memoir of the late Hon. George F. Hoar, the preparation of which had been assigned to him and to Mr. G. STANLEY HALL; and in the absence of their respective authors the memoirs of Hon. John S. Brayton by WILLIAM W. CRAPO and of Henry Lee by JOHN T. MORSE, Jr., were presented by Mr. Charles C. Smith.

Mr. WILLIAM R. THAYER, Senior Member at Large of the Council, presented their report, as follows:—

*Report of the Council.*

It falls to me, as senior member at large of the Council, to present its annual statement. The year has been marked by no innovations; therefore my report need not be long. The Society has held its specified number of meetings, transacted its customary business, and made its usual gain in its collections of books and documents. It has published one volume of Collections, 7th series, Vol. IV., containing the second part of the Heath Papers, and one Volume of Proceedings, 2d series, Vol. XVIII., November, 1903–December, 1904. At its meetings it has listened to nearly twenty papers, — besides extemporaneous remarks, — some of which are of permanent importance.

During the year we have elected five Resident Members, viz.: Charles Henry Dalton, June 9, 1904; Charles Homer Haskins, December 8, 1904; John Davis Long, January 12, 1905; Don Gleason Hill, February 9, 1905; and Theodore Clarke Smith, March 9, 1905. We have also elected five Corresponding Members, viz.: Frederick Jackson Turner, April 14, 1904; Sir Spencer Walpole, December 8, 1904; William Archibald Dunning, January 12, 1905; James Schouler, February 9, 1905; and George Parker Winship, March 9, 1905. We have added to our Honorary Membership list the names of Adolf Harnack, June 9, 1904; John Morley, October 13, 1904; Goldwin Smith, December 8, 1904; and Ernest Lavisse, February 9, 1905.

The unusual increase in our Honorary Membership list came about in this way. Some four years ago it was decided to

make honorary membership in this Society a conspicuous tribute to the achievement and standing of those persons who should be elected to it. Accordingly, as places fell vacant, the plan has been to fill them only after a thorough canvass of the merits of possible candidates. We have had, in some cases, prolonged discussion over them, and the result has been to elect men of high attainments and of international reputation. The death of Mommsen left a vacancy in the representation of Germany, which Professor Adolf Harnack, of Berlin, was chosen to fill. In France the choice naturally fell on Professor Ernest Lavisse, the recognized dean of the very active school of French historical students. Mr. Morley and Professor Goldwin Smith were promoted, *honoris causa*, from the Corresponding to the Honorary list. Mr. Morley's high rank was long ago established, but the recent publication of his "Life of Gladstone" raised him still higher, and made his recognition by this Society a fitting act. Mr. Goldwin Smith, the patriarch of historians now writing in English, has, towards the close of his career, produced in "The United Kingdom" and "The United States" works which will carry down his influence and fame to new generations.

The Society has lost by death five Resident Members, viz.: Elijah Winchester Donald, August 6, 1904; Henry Walbridge Taft, September 22, 1904; George Frisbie Hoar, September 30, 1904; John Summerfield Brayton, October 30, 1904; and Samuel Edward Herrick, December 4, 1904. Of these five, Senator Hoar was a regular attendant at our meetings when public business did not keep him at Washington. He was never a silent member. We lost in him a figure of national importance, an historic figure, the last of the Puritans. It is proper to record here that he was instrumental in having the Bradford Manuscript restored by the Bishop of London, England, to the Commonwealth of Massachusetts. A Corresponding Member — John Foster Kirk — died September 21, 1904. He was the secretary of Prescott the historian, and subsequently won distinction as the author of a life of "Charles the Bold." Another Corresponding Member, Henri R. Casgrain, the friend of Parkman, died February 11, 1904.

Two active members have resigned, — Professor Arthur Latham Perry, of Williams College, and Professor James

Schouler. The latter having changed his residence to New Hampshire, became ineligible to active membership, and was elected a Corresponding Member.

There are to-day three vacancies in the Resident Membership and one among the Corresponding Members. Memoirs of deceased members have been presented as follows: H. S. Nourse, by S. S. Shaw; E. L. Pierce, by J. F. Rhodes; Edmund Quincy, by J. P. Quincy; P. A. Chadbourne, by J. M. Barker; and W. A. Field, by John Noble.

It is unnecessary to give a list of the papers read and topics discussed at our meetings, for they are duly chronicled in the Proceedings. Nevertheless, I may call attention to such important contributions as "Hamilton's Notes on the Federal Convention of 1787," communicated by Mr. W. C. Ford; to Colonel T. L. Livermore's exhaustive study on "The Numbers in the Confederate Army, 1861-1865"; to Professor James Schouler's account of the "Calhoun, Jackson, and Van Buren Papers"; and to Mr. J. F. Rhodes's discussion of "Negro Suffrage and Reconstruction," all of which possess unusual value for a large audience of historical students. Nor should I fail to mention Edward Everett's autobiography, which makes memorable the volume in which it appears for the first time.

The chief public act of the Society has been its endeavor, by memorializing Congress, to preserve the frigate *Constitution*. It was represented at the tercentenary celebrations in Nova Scotia and New Brunswick, and it has furnished, at the request of the Massachusetts Legislature, a committee to consider plans for a monument to John Adams and John Quincy Adams.

The annual report of our Treasurer always merits attention. This year it is particularly interesting. Among other items, it shows the final payment of the Sibley bequest. Mr. Sibley's Fund stands at \$156,727.24, and Mrs. Sibley's Fund at \$22,509.48, making a total of \$179,236.72, the largest benefaction ever received by the Society. The invested capital is charged on the books at \$407,174.12, but its market value is much higher. The real estate stands at \$97,593.32, but the valuation of the Boston assessors is double that sum. The income from investments was about 5.25 per cent.

In retiring from the Council after three years' service, I may be permitted to make one or two personal suggestions. It is most desirable that our Society, which has now so ample



a material plant, should become more and more an active force in promoting historical study. Our precious collections should be made as accessible as possible. Our methods should be up to date. We should not be content with passive service, but should organize to do our share among the leaders of American historical work.

A society like this should be a granary to which investigators may come freely, fill their sacks, and go hence to feed many minds. There is always the danger that instead of a granary, there may be a mausoleum, in which the most precious material has a magnificent but unavailing preservation. The Massachusetts Historical Society is venerable from its age. It had, through good fortune which is not likely to be repeated, many of the most illustrious makers of American literature and writers of history among its active members during the nineteenth century. It has now a fine house for its printed and manuscript stores. But it cannot hope to retain its primacy simply by sitting still. It must be the first, not only in age and illustrious membership and in precious historical possessions, but in fruitful service. Not only to collect, but to share and spread, must be the aim of our Society.

The following is a list of such publications by members, during the year, as have come to the knowledge of the Council:—

- The Harvard Tuition Fee: its proposed increase. By Charles Francis Adams. Reprinted from the September Harvard Graduates' Magazine. Corrected, revised, and enlarged.
- The Milestone Planted. Address delivered by Charles Francis Adams at Lincoln, Massachusetts, April 23, 1904, the one hundred and fiftieth anniversary of the incorporation of the town. Limited edition, privately printed.
- The Richard Cobden Centennial. Speech of Charles Francis Adams at the Dinner of the [New England] Free Trade League at the Hotel Vendome, Boston, on the evening of June 3, 1904.
- The Acts and Resolves, Public and Private, of the Province of Massachusetts Bay: to which are prefixed the Charters of the Province. With historical and explanatory notes, and an appendix. Volume XII., being Volume VII. of the appendix containing Resolves, etc., 1734-1741. Edited by Melville M. Bigelow.
- Present Phases of our so-called Negro Problem. Open letter to the Right Honorable James Bryce, M.P., of England. By D. H. Chamberlain.

- A Christmas Eve Family Story.** By Charles H. Dalton.
- Great Captains. Napoleon.** A History of the Art of War, from the beginning of the French Revolution to the end of the eighteenth century, with a detailed account of the Wars of the French Revolution. By Theodore A. Dodge. Vols. I., II.
- John Gilley.** By Charles W. Eliot.
- The Italian poets since Dante,** accompanied by verse translations. Lowell Institute Lectures. By William Everett.
- Peabody Education Fund.** Proceedings of the Trustees at their Forty-fifth Meeting, New York, 2 November, 1904. With the annual report of the General Agent. Edited by Samuel A. Green, Secretary and General Agent.
- Peabody Education Fund.** Proceedings of the Trustees at their Forty-sixth Meeting, Washington, 24 January, 1905. Edited by Samuel A. Green, Secretary and General Agent.
- The American Nation ; a History from Original Sources by Associated Scholars.** Edited by Albert Bushnell Hart, advised by various Historical Societies. Vols. I. to V., of which Vol. III. contains "Spain in America, 1450-1580," by our Corresponding Member, Prof. Edward Gaylord Bourne.
- The Cathedral.** An Address by the Rt. Rev. William Lawrence, D.D., to the Convention of the Diocese of Massachusetts, May 4, 1904.
- Diocese of Massachusetts.** Eleventh Annual Address of the Rt. Rev. William Lawrence, D.D., to the Convention of the Diocese, delivered in Trinity Church, Boston, May 4, A. D. 1904, at its one hundred and nineteenth annual meeting.
- History of the Eighteenth New Hampshire Volunteers, 1864-5.** By Thomas L. Livermore.
- Sermon given at the National Council of Congregational Churches, Des Moines, Iowa, October 16, 1904.** By Alexander McKenzie.
- Record of the Court of Assistants of the Colony of the Massachusetts Bay, 1630-1692.** Printed under the supervision of John Noble. Volume II.
- Letters of John Ruskin to Charles Eliot Norton.** In two volumes. Edited by Mr. Norton.
- History of the United States from the Compromise of 1850.** Vol. V. 1864-1866. By James Ford Rhodes.
- Dr. [Samuel] Langdon (1723-1797), of Boston, Portsmouth, Harvard College, and Hampton Falls.** A biographical sketch. By Franklin B. Sanborn.
- New Hampshire.** An Epitome of Popular Government. By Franklin B. Sanborn. [American Commonwealths.]
- The Diocesan Library, being the Twenty-first Annual Report made to**

the Convention of the Protestant Episcopal Church in the Diocese of Massachusetts, held in Boston, May 4 and 5, 1904.

House of John Procter, Witchcraft Martyr, 1692. Read before the Peabody Historical Society, September 2, 1903. By William P. Upham.

Two Dutch Letters from Emden in Hanover, 1659 and 1661, to Evert Jansen Wendell of Fort Orange (now Albany, N. Y.). By William P. Upham.

The Declaration of Independence. An Address by Winslow Warren, President of the Bunker Hill Monument Association, June 17, 1904.

The Temper of the Seventeenth Century in English Literature. Clark Lectures given at Trinity College, Cambridge, in the year 1902-1903. By Barrett Wendell.

The Annual Report of the Treasurer and the Report of the Auditing Committee were presented in print, as has been customary for many years past.

*Report of the Treasurer.*

In compliance with the requirements of the By-Laws, Chapter VII., Article 1, the Treasurer respectfully submits his Annual Report, made up to March 31, 1905.

The special funds held by him are twenty-one in number, and are as follows:—

I. THE APPLETON FUND, which was created Nov. 18, 1854, by a gift to the Society, from Nathan Appleton, William Appleton, and Nathaniel I. Bowditch, trustees under the will of Samuel Appleton, of stocks of the appraised value of ten thousand dollars. These stocks were subsequently sold for \$12,203, at which sum the fund now stands. The income is applicable to "the procuring, preserving, preparation, and publication of historical papers."

II. THE MASSACHUSETTS HISTORICAL TRUST-FUND, which now stands, with the accumulated income, at \$10,000. This fund originated in a gift of two thousand dollars from the Hon. David Sears, presented Oct. 15, 1855, and accepted by the Society Nov. 8, 1855. On Dec. 26, 1866, it was increased by a gift of five hundred dollars from Mr. Sears, and another of the same amount from another associate, Nathaniel Thayer. The annual income must be added to the principal between July and January, or by "a recorded vote" of "the Society"

it may "be expended in such objects as to them may be desirable." The directions in Mr. Sears's declaration of trust may be found in the printed Proceedings for November, 1855.

III. THE DOWSE FUND, given to the Society by George Livermore and Eben. Dale, executors of the will of Thomas Dowse, April 9, 1857, for the "safe keeping" of the Dowse Library, which was formally given by Mr. Dowse to the Society in July, 1856. It amounts to \$10,000. The income for the year has been placed to the credit of the General Account, in accordance with what was understood to be the wish of the executors.

IV. THE PEABODY FUND, which was presented by the eminent banker and philanthropist George Peabody, in a letter dated Jan. 1, 1867, and now stands at \$22,123. The income is available only for the publication and illustration of the Society's Proceedings and Memoirs, and for the preservation of the Society's Historical Portraits.

V. THE SAVAGE FUND, which was a bequest from the Hon. James Savage, President from 1841 to 1855, received in June, 1873, and now stands on the books at the sum of \$6,000. The income is to be used for the increase of the Society's Library.

VI. THE ERASTUS B. BIGELOW FUND, which was given in February, 1881, by Mrs. Helen Bigelow Merriman, in recognition of her father's interest in the work of the Society. The original sum was one thousand dollars; but the interest was added to the principal to bring the amount up to \$2,000, at which it now stands. There is no restriction as to the use to be made of this fund; but up to the present time the income has been used only for the purchase of books for the Library.

VII. THE WILLIAM WINTHROP FUND, which amounts to the sum of \$3,000, and was received Oct. 13, 1882, under the will of William Winthrop, for many years a Corresponding Member of the Society. The income is to be applied "to the binding for better preservation of the valuable manuscripts and books appertaining to the Society."

VIII. THE RICHARD FROTHINGHAM FUND, which represents a gift to the Society, on the 23d of March, 1883, from the widow of Richard Frothingham, Treasurer from 1847 to 1877, of a certificate of twenty shares in the Union Stock Yard and Transit Co., of Chicago, of the par value of \$100 each, and of the stereotype plates of Mr. Frothingham's "Siege of

Boston," "Life of Joseph Warren," and "Rise of the Republic." The fund stands on the Treasurer's books at \$3,000, exclusive of the copyright. There are no restrictions on the uses to which the income may be applied.

IX. THE GENERAL FUND, which now amounts to \$48,674.43. It represents the following gifts and payments to the Society, and withdrawals from the Building Account:—

1. A gift of two thousand dollars from the residuary estate of MARY PRINCE TOWNSEND, by the executors of her will, William Minot and William Minot, Jr., in recognition of which, by a vote of the Society, passed June 13, 1861, the Treasurer was "directed to make and keep a special entry in his account books of this contribution as the donation of Miss Mary P. Townsend."

2. A legacy of two thousand dollars from HENRY HARRIS, received in July, 1867.

3. A legacy of one thousand dollars from our associate GEORGE BEMIS, received in March, 1879.

4. A gift of one hundred dollars from our associate RALPH WALDO EMERSON, received in April, 1881.

5. A legacy of one thousand dollars from our associate WILLIAMS LATHAM, received in May, 1884.

6. A bequest of five shares in the Cincinnati Gas-Light and Coke Co. from GEORGE DEXTER, Recording Secretary from 1878 to 1883, received in June, 1884. This bequest for several years stood on the Treasurer's books at \$900, at which sum the shares were valued when the incomes arising from separate investments were all merged in one consolidated account. Besides the regular quarterly dividends there has been received up to the present time from the sale of subscription rights, etc., the sum of \$337.56, which has been added to the nominal amount of Mr. Dexter's bequest.

7. A legacy of one thousand dollars from our associate EBENEZER ROCKWOOD HOAR, received in February, 1895.

8. A gift of one hundred dollars from HORACE DAVIS, a Corresponding Member, received in April, 1904.

9. A gift of one hundred dollars from our associate EDWARD D. HARRIS, received in March, 1905.

10. Twenty-nine commutation fees of one hundred and fifty dollars each.

11. The sum of \$29,955.17 was withdrawn from the proceeds

of the sale of the Tremont Street estate, and added to this fund; and the sum of \$731.70 received from the Medical Library for cost of party-wall was deducted from the cost of the real estate and added to this fund.

X. THE ANONYMOUS FUND, which originated in a gift of \$1,000 to the Society in April, 1887, communicated in a letter to the Treasurer, from a valued associate, printed in the Proceedings (2d series, vol. iii. pp. 277, 278). A further gift of \$250 was received from the same generous friend in April, 1888. The income has been added to the principal; and in accordance with the instructions of the giver this policy is to be continued (see Proceedings, 2d series, vol. xiii. pp. 66, 67). The fund now stands at \$3,102.74.

XI. THE WILLIAM AMORY FUND, which was a bequest of \$3,000, from our associate William Amory, received Jan. 7, 1889. There are no restrictions on the uses to which the income may be applied.

XII. THE LAWRENCE FUND, which was a bequest of \$3,000, from our associate the younger Abbott Lawrence (H. U., Class of 1849), received in June, 1894. The income is "to be expended in publishing the Collections and Proceedings" of the Society. The cost of publishing Volume XVII. of the Second Series of the Proceedings was charged against the income of this fund.

XIII. THE ROBERT C. WINTHROP FUND, which was a bequest of \$5,000, from the Hon. Robert C. Winthrop, President from 1855 to 1885, received in December, 1894. No restrictions were attached to this bequest; but by a vote of the Society passed Dec. 13, 1894, it was directed that the income "shall be expended for such purposes as the Council may from time to time direct."

XIV. THE WATERSTON PUBLISHING FUND, which was a bequest of \$10,000, from our associate the Rev. Robert C. Waterston, received in December, 1894. The income is to be used as a publishing fund, in accordance with the provisions of Mr. Waterston's will printed in the Proceedings (2d series, vol. viii. pp. 172, 173). The cost of publishing Volume XVIII. of the Second Series of the Proceedings, was charged against the income of this fund.

XV. THE ELLIS FUND, which originated in a bequest to the Society of \$30,000, by Dr. George E. Ellis, President from

1885 to 1894. This sum was paid into the Treasury Dec. 20, 1895; and to it has been added the sum of \$1,663.66 received from the sale of various articles of personal property, also given to the Society by Dr. Ellis, which it was not thought desirable to keep, making the whole amount of the fund \$31,663.66. No part of the original sum can be used for the purchase of other real estate in exchange for the real estate specifically devised by Dr. Ellis's will.

Besides the bequest in money, Dr. Ellis by his will gave to the Society his dwelling-house No. 110 Marlborough Street, with substantially all its contents. In the exercise of the discretion which the Society was authorized to use, this house was sold for the sum of \$25,000, and the proceeds invested in the more eligible estate on the corner of the Fenway and Boylston Street. The full sum received from the sale was entered on the Treasurer's books, to the credit of ELLIS HOUSE, in perpetual memory of Dr. Ellis's gift.

XVI. THE LOWELL FUND, which was a bequest of the Hon. John Lowell (H. U., Class of 1848), amounting to \$3,000, received Sept. 13, 1897. There are no restrictions on the uses to which the income may be applied.

XVII. THE WATERSTON FUND, which was received April 21, 1900, in full satisfaction of a bequest from our associate the Rev. Robert C. Waterston. Some legal questions having arisen in connection with this bequest, the matter was compromised, and the sum of \$5,000 was received, as stated in the Proceedings (2d series, vol. xiv. pp. 163, 164). The income is to be used for printing a catalogue of the Waterston Library, for printing documents from it, and for making additions to the Library from time to time. The catalogue of the Library is now ready for the press; and it is expected that the volume will be issued in the course of the next financial year.

XVIII. THE WATERSTON FUND No. 2, which was a further bequest of \$10,000 from Mr. Waterston, in regard to which there were no legal questions, and which was also received April 21, 1900. The income is to be used for "printing and publishing any important or interesting autograph, original manuscripts, letters or documents which may be in possession of" the Society.

Besides the three funds, for the creation of which provision was made by Mr. Waterston's will, the Treasurer received,

under the will, the sum of \$10,000, to be applied to the fitting up of a room or portion of a fire-proof building for the commodious and safe keeping of the Waterston Collection. A room was accordingly set apart for that purpose, and the larger part of this sum was expended in making it convenient and attractive. Some further expenditures must be made on this account, and any balance of cash remaining in the hands of the Treasurer will be used, in accordance with the terms of the will, in adding books to the collection, under the direction of the Council.

**XIX. THE ROBERT CHARLES BILLINGS FUND.** This was a gift of \$10,000, received April 16, 1903, from the surviving executors of the will of the late Robert Charles Billings. The income is to be used only for publications. The cost of publishing Volume XIX. of the Second Series of the Proceedings will be charged against the income of this fund.

**XX. THE JOHN LANGDON SIBLEY FUND,** which was created under the will of our associate, printed in the Proceedings (2d series, vol. ii. pp. 168-170), was received in two instalments, Aug. 5, 1903, and April 18, 1904. The income must be applied in the manner set forth in Mr. Sibley's will. The fund now stands on the books at \$156,727.24.

**XXI. THE CHARLOTTE A. L. SIBLEY FUND,** which was created under her will, printed in the Proceedings (2d series, vol. xvi. pp. 21-23), was also received in two instalments, Aug. 5, 1903, and April 18, 1904. There are no restrictions on the uses to which the income may be applied, and it has been carried to the credit of the General Account. The fund stands at \$22,509.48.

On Dec. 16, 1903, the Treasurer received from the executors under the will of our associate the late Hon. Mellen Chamberlain the sum of \$5,520, on account of Judge Chamberlain's bequest to the Society to defray the cost of publishing his "History of Chelsea." This bequest will be treated for the present as an open account,—all payments for the History being charged to it, and interest credited on unexpended balances available for the purpose. It is expected that a further sum will be received on the final settlement of Judge Chamberlain's estate.

The Treasurer also holds a deposit book in the Five Cent Savings Bank for \$100 and interest, which is applicable to the



care and preservation of the beautiful model of the Brattle Street Church, deposited with us in April, 1877.

In January, 1905, the Treasurer received from our associate Thomas Minns the gift of one of the earliest deposit books issued by the "Provident Institution for Savings in the Town of Boston," to Miss Maria Antoinette Parker, February 21, 1821, with a transfer of the balance of principal and interest now or hereafter to be represented by it. Whenever the interest amounts to \$25, it is to be used for the purchase of books for the Library; and the deposit book itself is to be kept as an interesting relic of the earlier time. It is worthy of notice that a former Treasurer and President of this Society, James Savage, was one of the founders and afterward President of the Provident Institution, and that the two corporations were for a considerable period joint owners of the estate on Tremont Street which they jointly occupied.

As these two deposit books represent constantly varying sums, it has not been thought desirable to include them in the General Fund, to which they naturally belong, though the income from them is applicable only to prescribed uses.

It should not be forgotten that besides the gifts and bequests represented by these funds, which the Treasurer is required to take notice of in his Annual Report, numerous gifts have been made to the Society from time to time, and expended for the purchase of the real estate, or in promoting the objects for which the Society was organized. A detailed account of these gifts was included in the Annual Report of the Treasurer, dated March 31, 1887, printed in the Proceedings (2d series, vol. iii. pp. 291-296); and in the list of the givers there enumerated will be found the names of many honored associates, now living or departed, and of other gentlemen, not members of the Society, who were interested in the promotion of historical studies. They gave liberally in the day of small things; and to them the Society is largely indebted for its present prosperity and usefulness.

To the benefactors there mentioned must be added CHARLES FRANCIS ADAMS, President of the Society, who, in the summer of 1895, bought a lot of land on the Fenway (3,000 square feet), with a view of adding it to the lot bought by the Society, in case the latter should prove too small. When the plans for the new building were drawn, it was found to

be desirable to make some change in the lines of the Society's estate, and the lot bought by the President was conveyed to the Society, with a verbal understanding that he should receive for it an equal quantity of land on Boylston Street. In February, 1901, a portion of unoccupied land on Boylston Street (2,622 $\frac{4}{10}$  square feet) was sold to indemnify the President for the land conveyed by him to the Society. The difference (\$3,000) between the sum paid by the President (\$15,000) and the amount received for the land sold (\$12,000) was an absolute gift to the Society, and to this difference must be added the interest on \$15,000 from the date of the original purchase up to the date of sale of the Boylston Street land, a period of nearly six years.

The stock and bonds held by the Treasurer as investments on account of the above-mentioned funds are as follows:—

\$14,000 in the five per cent mortgage bonds of the Chicago and West Michigan Railroad Co., due 1921;

\$1,000 in a five per cent bond of the Chicago and North Michigan Railroad Co., due 1931;

\$5,000 in the four per cent bonds of the Rio Grande Western Railroad Co., due 1939;

\$8,000 in the four per cent bonds of the Chicago, Burlington, and Quincy Railroad Co., due 1921;

\$3,000 in the four per cent bonds of the Chicago, Burlington, and Quincy Railroad Co., due 1922;

\$4,000 in the three and one-half per cent bonds of the Chicago, Burlington, and Quincy Railroad Co., due 1949;

\$5,000 in the five per cent gold bonds of the Cincinnati, Dayton, and Ironton Railroad Co., due 1941;

\$14,500 in the four per cent mortgage bonds of the Atchison, Topeka, and Santa Fé Railroad Co., due 1995;

\$9,000 in the adjustment four per cent bonds, due 1995, and one hundred and fifty-eight shares of the preferred stock of the same corporation;

\$11,000 in the five per cent collateral trust bonds of the Chicago Junction Railways and Union Stock Yards Co., due 1915;

\$10,000 in the five per cent bonds of the Oregon Short Line Railroad Co., due 1946;

\$6,000 in the four per cent bonds of the Oregon Short Line Railroad Co., due 1929;

\$12,000 in the five per cent bonds of the Lewiston-Concord Bridge Co., due 1924;

\$6,000 in the four and one half per cent bonds of the Boston and Maine Railroad Co., due 1944 ;

\$10,000 in the four per cent bonds of the American Telephone and Telegraph Co., due 1929 ;

\$54,000 in the four per cent joint bonds of the Northern Pacific Railroad Co. and the Great Northern Railroad Co., due 1921 ;

\$12,000 in the convertible five per cent bonds of the Kansas City Stock Yards Co., due 1913 ;

\$6,000 in the four per cent bonds of the Long Island Railroad Co., due 1949 ;

\$12,000 in the four per cent bonds of the New York Central and Hudson River Railroad Co., due 1934 ;

\$6,000 in the four per cent bonds of the Bangor and Aroostook Railroad Co., due 1951 ;

\$4,500 in the seven per cent bonds of the Atchison and Nebraska Railroad Co., due 1908 ;

\$22,000 in the four per cent bonds of the Burlington and Missouri River Railroad Co. in Nebraska, due 1910 ;

\$2,000 in the four per cent bonds of the Detroit, Grand Rapids and Western Railroad Co., due 1946 ;

\$9,000 in the four per cent bonds of the Fitchburg Railroad Co., due 1927 ;

\$3,000 in the five per cent bonds of the Kansas City, Clinton and Springfield Railroad Co., due 1925 ;

\$5,000 in the seven per cent bonds of the Kansas City, St. Joseph and Council Bluffs Railroad Co., due 1907 ;

\$2,000 in the five per cent bonds of the Lowell, Lawrence and Haverhill Street Railway Co., due 1923 ;

\$6,000 in the four per cent bonds of the West End Street Railway Co., due 1915 ;

\$25,000 in the six per cent mortgage notes of G. St. L. Abbott, Trustee ;

Fifty shares in the Merchants' National Bank of Boston ;

Fifty shares in the State National Bank of Boston ;

Fifty shares in the National Bank of Commerce of Boston ;

Fifty shares in the National Union Bank of Boston ;

Fifty shares in the Second National Bank of Boston ;

Twenty-five shares in the National Shawmut Bank of Boston ;

Thirty-five shares in the Boston and Albany Railroad Co. ;

Twenty-five shares in the Old Colony Railroad Co. ;

Twenty-five shares in the preferred stock of the Fitchburg Railroad Co. ;

One hundred and fifty shares in the preferred stock of the Chicago Junction Railways and Union Stock Yards Co. ;

Three hundred shares in the preferred stock of the American Smelting and Refining Co. ;

One hundred shares in the Kansas City Stock Yards Co. ;

Ten shares in the Cincinnati Gas and Electric Co., received in exchange for five shares in the Cincinnati Gas-Light and Coke Co. ;

Five shares in the Boston Real Estate Trust (of the par value of \$1,000);

Five shares in the State Street Exchange ; and

Three shares in the Pacific Mills (of the par value of \$1,000).

The net cost of these securities is \$407,174.12 ; but their market value is much higher.

The following abstracts and the trial balance show the present condition of the several accounts : —

### CASH ACCOUNT.

		DEBITS.	
1904.			
March 31.	To balance on hand . . . . .		\$3,247.92
1905.			
March 31.	„ receipts as follows : —		
	General Account . . . . .	3,064.27	
	Consolidated Income . . . . .	19,898.18	
	Income of Richard Frothingham Fund . . . . .	74.20	
	General Fund . . . . .	850.00	
	Income of Savage Fund . . . . .	3.60	
	John Langdon Sibley Fund . . . . .	3,271.23	
	Charlotte A. L. Sibley Fund . . . . .	1,397.04	
	Investments . . . . .	32,386.15	
			<u>\$68,692.59</u>
March 31.	To balance brought down . . . . .		\$2,070.42
		CREDITS.	
1905.			
March 31.	By payments as follows : —		
	Investments . . . . .	\$44,848.25	
	Waterston Library . . . . .	9.00	
	Income of E. B. Bigelow Fund . . . . .	204.60	
	Income of Savage Fund . . . . .	474.15	
	Income of William Winthrop Fund . . . . .	301.30	
	Income of Waterston Publishing Fund . . . . .	836.42	
	Income of J. L. Sibley Fund . . . . .	1,839.44	
	Income of C. A. L. Sibley Fund . . . . .	89.75	
	Income of Appleton Fund . . . . .	990.65	
	Income of General Fund . . . . .	1,638.80	
	Income of Mass. Historical Trust Fund . . . . .	24.50	
	Income of R. C. Billings Fund . . . . .	5.00	
	Chamberlain Bequest . . . . .	1,015.33	
	Consolidated Income . . . . .	225.86	
	Charlotte A. L. Sibley Fund . . . . .	2,000.00	
	General Account . . . . .	7,219.62	
	„ balance on hand . . . . .	2,070.42	
			<u>\$68,692.59</u>

## GENERAL ACCOUNT.

## DEBITS.

1904.		
March 31.	To balance brought forward . . . . .	\$9,899.56
1905.		
March 31.	" sundry charges and payments:—	
	Salaries of Librarian's Assistants . . . . .	2,642.84
	Services of Janitor . . . . .	955.00
	Printing and binding . . . . .	146.65
	Stationery and postage . . . . .	121.24
	Light . . . . .	62.79
	Water . . . . .	78.00
	Coal and wood . . . . .	628.25
	Miscellaneous expenses . . . . .	415.39
	Editing publications of the Society . . . . .	2,000.00
	Repairs . . . . .	174.46
		<u>\$17,119.18</u>
March 31.	By balance brought down . . . . .	\$6,594.00

## CREDITS.

1905.		
March 31.	By sundry receipts:—	
	Interest . . . . .	\$70.47
	Income of General Fund . . . . .	727.33
	Income of Ellis Fund . . . . .	1,656.21
	Income of Dowse Fund . . . . .	523.06
	Admission Fees . . . . .	125.00
	Assessments . . . . .	630.00
	Sales of publications . . . . .	507.43
	On account of expenses for maintenance, etc. . . . .	1,719.52
	Income of J. L. Sibley Fund . . . . .	3,466.67
	Income of C. A. L. Sibley Fund . . . . .	1,087.64
	Copyright, etc. . . . .	11.85
	" balance carried forward . . . . .	6,594.00
		<u>\$17,119.18</u>

*Income of General Fund.*

## DEBITS.

1905.		
March 31.	To amount paid for portrait of George Livermore and charges . . . . .	\$1,538.80
	" balance carried to General Account . . . . .	727.88
		<u>\$2,266.13</u>

## CREDITS.

1905.		
March 31.	By proportion of consolidated income . . . . .	\$2,266.13

*Income of J. L. Sibley Fund.*

## DEBITS.

1905.		
March 31.	To amount transferred to General Account . . . . .	\$3,466.67
	" payments in accordance with the will . . . . .	1,839.44
	" amount added to principal of J. L. Sibley Fund . . . . .	2,022.96
	" balance carried forward . . . . .	6,253.61
		<u>\$13,582.68</u>

		CREDITS.
1905.		
March 31.	By amount received from the executor . . . . .	\$5,490.84
	„ proportion of consolidated income . . . . .	8,091.84
		<u>\$13,582.68</u>
March 31.	By balance brought down . . . . .	\$6,253.61

*Income of C. A. L. Sibley Fund.*

		DEBITS.
1905.		
March 31.	To amount paid for books, etc. . . . .	\$89.75
	„ balance carried to General Account . . . . .	1,087.64
		<u>\$1,177.39</u>

		CREDITS.
1905.		
March 31.	By proportion of consolidated income . . . . .	\$1,177.39

*Income of Ellis Fund.*

		DEBITS.
1905.		
March 31.	To amount carried to General Account . . . . .	\$1,656.21

		CREDITS.
1905.		
March 31.	By proportion of consolidated income . . . . .	\$1,656.21

*Income of E. B. Bigelow Fund.*

		DEBITS.
1905.		
March 31.	To amount paid for books . . . . .	\$204.60
	„ balance carried forward . . . . .	717.16
		<u>\$921.76</u>

		CREDITS.
1904.		
March 31.	By balance brought forward . . . . .	\$817.15
1905.		
March 31.	„ proportion of consolidated income . . . . .	104.61
		<u>\$921.76</u>
March 31.	By balance brought forward <sup>1</sup> . . . . .	\$717.16

*Income of Massachusetts Historical Trust Fund.*

		DEBITS.
1905.		
March 31.	To amount paid for pedestals . . . . .	\$24.50
	„ balance carried forward . . . . .	2,779.97
		<u>\$2,804.47</u>

## CREDITS.

1904.		
March 31.	By balance brought forward . . . . .	\$2,281.41
1905.		
March 31.	„ proportion of consolidated income . . . . .	523.06
		<u>\$2,804.47</u>
March 31.	By balance brought forward . . . . .	\$2,779.97

*Income of Peabody Fund.*

## CREDITS.

1904.		
March 31.	By balance brought forward . . . . .	\$654.81
1905.		
March 31.	„ proportion of consolidated income . . . . .	1,157.17
		<u>\$1,811.98</u>
March 31.	By amount brought down . . . . .	\$1,811.98

*Income of Richard Frothingham Fund.*

## CREDITS.

1904.		
March 31.	By amount brought forward . . . . .	\$1,521.01
1905.		
March 31.	„ copyright received . . . . .	74.20
	„ proportion of consolidated income . . . . .	156.92
		<u>\$1,752.13</u>
March 31.	By amount brought down . . . . .	\$1,752.18

*Income of Savage Fund.*

## DEBITS.

1904.		
March 31.	To balance brought forward . . . . .	\$218.71
1905.		
March 31.	„ amount paid for books . . . . .	474.15
		<u>\$692.86</u>
March 31.	To balance brought forward . . . . .	\$375.42

## CREDITS.

1905.		
March 31.	By allowance for volume returned . . . . .	\$8.60
	„ proportion of consolidated income . . . . .	313.84
	„ balance carried forward . . . . .	£75.42
		<u>\$692.86</u>

*Income of Douse Fund.*

## DEBITS.

1905.		
March 31.	To amount transferred to General Account . . . . .	\$523.06

## CREDITS.

1905.		
March 31.	By proportion of consolidated income . . . . .	\$523.06

*Income of William Winthrop Fund.*

DEBITS.	
1905.	
March 31.	To amount paid for binding . . . . . \$301.80
	„ balance carried forward . . . . . 197.37
	<u>\$498.67</u>
CREDITS.	
1904.	
March 31.	By balance brought forward . . . . . \$341.75
1905.	
March 31.	„ proportion of consolidated income . . . . . 156.92
	<u>\$498.67</u>
March 31.	By balance brought forward . . . . . \$197.37

*Income of Appleton Fund.*

DEBITS.	
1905.	
March 31.	To amount paid for printing collections . . . . . \$990.65
	„ balance carried forward . . . . . 4,790.59
	<u>\$5,781.24</u>
CREDITS.	
1904.	
March 31.	By amount brought forward . . . . . \$5,142.94
1905.	
March 31.	„ proportion of consolidated income . . . . . 688.90
	<u>\$5,781.24</u>
March 31.	By balance brought forward . . . . . \$4,790.59

*Chamberlain Bequest.*

DEBITS.	
1905.	
March 31.	To amount paid for preparation of copy of "History" . \$1,015.83
	„ balance carried forward . . . . . 4,435.94
	<u>\$5,451.27</u>
CREDITS.	
1904.	
March 31.	By balance brought forward . . . . . \$5,261.18
1905.	
March 31.	„ amount of interest added . . . . . 190.14
	<u>\$5,451.27</u>
March 31.	By balance brought down . . . . . \$4,435.94

*Waterson Publishing Fund.*

DEBITS.	
1905.	
March 31.	To amount paid for publishing "Proceedings" . . . . \$836.42
	„ balance carried forward . . . . . 4,108.42
	<u>\$4,944.84</u>



1904.		CREDITS.
March 31.	By amount brought forward . . . . .	\$4,421.78
1905.		
March 31.	„ proportion of consolidated income . . . . .	528.06
		<u>\$4,944.84</u>
March 31.	By balance brought down . . . . .	\$4,108.42

*Income of Lawrence Fund.*

1904.		CREDITS.
March 31.	By amount brought forward . . . . .	\$129.29
1905.		
March 31.	„ proportion of consolidated income . . . . .	156.92
		<u>\$286.21</u>
March 31.	By amount brought down . . . . .	\$286.21

*Waterston Library.*

1905.		DEBITS.
March 31.	To amount paid for books purchased . . . . .	\$9.00
	„ balance carried forward . . . . .	8,947.14
		<u>\$8,956.14</u>

1904.		CREDITS.
March 31.	By balance brought forward . . . . .	\$3,956.14
1905.		
March 31.	By amount brought down . . . . .	\$3,947.14

## TRIAL BALANCE.

		DEBITS.
Cash . . . . .		\$2,070.42
Investments . . . . .		407,174.12
Real Estate . . . . .		97,593.32
General Account . . . . .		6,594.00
Income of Savage Fund . . . . .		875.42
		<u>\$518,807.28</u>

		CREDITS.
Building Account . . . . .		\$72,598.82
Ellis House . . . . .		25,000.00
Appleton Fund . . . . .		12,208.00
Dowse Fund . . . . .		10,000.00
Massachusetts Historical Trust Fund . . . . .		10,000.00
Peabody Fund . . . . .		22,123.00
Carried forward . . . . .		<u>\$151,919.32</u>

<i>Brought forward</i>	\$151,919.82
Savage Fund	6,000.00
Erastus B. Bigelow Fund	2,000.00
William Winthrop Fund	3,000.00
Richard Frothingham Fund	3,000.00
General Fund	43,674.43
Anonymous Fund	8,102.74
William Amory Fund	3,000.00
Lawrence Fund	3,000.00
Robert C. Winthrop Fund	5,000.00
Waterston Publishing Fund	10,000.00
Ellis Fund	31,663.66
Lowell Fund	3,000.00
Waterston Fund	5,000.00
Waterston Fund No. 2	10,000.00
Robert Charles Billings Fund	10,000.00
John Langdon Sibley Fund	156,727.24
Charlotte A. L. Sibley Fund	22,509.48
Chamberlain Bequest	4,435.94
Waterston Library	8,947.14
Income of Lowell Fund	1,219.77
Income of Appleton Fund	4,790.59
Income of William Winthrop Fund	197.37
Income of Massachusetts Historical Trust Fund	2,779.97
Income of Richard Frothingham Fund	1,762.13
Income of William Amory Fund	949.60
Income of E. B. Bigelow Fund	717.16
Income of Lawrence Fund	286.21
Income of Robert C. Winthrop Fund	2,656.78
Income of Waterston Publishing Fund	4,108.42
Income of Waterston Fund	1,396.19
Income of Waterston Fund No. 2	2,792.87
Income of Robert C. Billings Fund	1,115.18
Income of Peabody Fund	1,811.98
Income of J. L. Sibley Fund	6,253.61
	<u>\$518,807.28</u>

The income for the year derived from the investments and credited to the several funds, in proportion to the amount at which they stand on the Treasurer's books, was about five and one-quarter per cent.

CHARLES C. SMITH,  
*Treasurer.*

Boston, March 31, 1905.

*Report of the Auditing Committee.*

The undersigned, a Committee appointed to examine the accounts of the Treasurer of the Massachusetts Historical Society, as made up to March 31, 1905, have attended to that

duty, and report that they find them correctly kept and properly vouched; that the securities held by the Treasurer for the several funds correspond with the statement in his Annual Report; that the balance of cash on hand is satisfactorily accounted for; and that the Trial Balance is accurately taken from the Ledger.

THOMAS MINNS, }  
C. H. DALTON, } *Committee.*

Boston, April 7, 1905.

In connection with the presentation of these reports Mr. MINNS said that the Auditing Committee in examining the securities had paid careful attention to the quality as well as the quantity, and reported the character of them as satisfactory. A careful estimate of the present market value of the securities had been made, and it amounts to \$457,859, or \$50,684.88 more than the cost to the Society as shown in the Treasurer's report.

The Report of the Librarian was read as follows:—

*Report of the Librarian.*

During the year there have been added to the Library:—

Books . . . . .	494
Pamphlets . . . . .	879
Unbound volumes of newspapers . . . . .	9
Bound volumes of newspapers . . . . .	86
Broadsides . . . . .	13
Maps . . . . .	3
Manuscripts . . . . .	399
Bound volumes of manuscripts . . . . .	10
In all . . . . .	<u>1,893</u>

Of the volumes added 310 have been given, 175 bought, and 105 formed by binding. Of the pamphlets added, 574 have been given, 301 bought, and 4 procured by exchange.

From the income of the Savage Fund there have been bought 104 volumes, 260 pamphlets, 7 bound volumes of newspapers, 3 unbound volumes of newspapers, and 5 broadsides; and 6 volumes of newspapers have been bound.

From the income of the William Winthrop Fund there have

been bound 26 volumes, containing 139 pamphlets, and 73 volumes of newspapers; and 8 volumes have been repaired.

From the income of the E. B. Bigelow Fund there have been bought 58 volumes and 40 pamphlets; from that of the John Langdon Sibley Fund, 5 volumes; and from that of the Charlotte A. L. Sibley Fund, 1 volume, 1 pamphlet, 16 manuscripts, 1 framed engraving, and 3 photographs.

Of the books added to the Rebellion Department, 33 have been given, and 112 bought; and of the pamphlets added, 124 have been given, and 124 bought. There are now in the collection 3,009 volumes, 5,649 pamphlets, 833 broadsides, and 110 maps.

In the collection of manuscripts there are now 1,144 volumes, 192 unbound volumes, 97 pamphlets with manuscript notes, and 14,425 manuscripts.

The Library contains at the present time about 48,392 volumes; and this enumeration includes the files of bound newspapers, bound manuscripts, the Dowse Collection, and the Waterston Collection. The Waterston catalogue is now in type and will soon be issued. The Ellis books are still in process of cataloguing, and when the work is finished these will be added to the aggregate.

The number of pamphlets now in the Library, including duplicates, is 107,106; and the number of broadsides, including duplicates, is 5,012.

Respectfully submitted,

SAMUEL A. GREEN,

*Librarian.*

April 13, 1906.

The Cabinet-Keeper presented his Report:—

*Report of the Cabinet-Keeper.*

The following additions to the Cabinet have been made during the past year:—

A water-color painting of the British fleet which brought over the "Sam Adams" regiments, as it appeared in Boston Harbor on October first, 1768, painted by Christian Remick and dedicated to Thomas Vernon. Given by Mrs. Ellen Hinckley Waitt, of Yonkers, New York.

- A framed photograph of Charles Francis Adams, by Pach, Cambridge.  
Given by Mr. Adams.
- An engraving of the statue of William Francis Bartlett, by John A. Lowell & Co. Given by the Berkshire Life Insurance Company, of Pittsfield.
- A sword, pair of silver-mounted pistols and surgical instruments used by General John Thomas in the French and Indian, and Revolutionary Wars. Bequeathed by William A. Thomas, of Kingston.
- A half-tone view, Boston, 1902, of the south side of Franklin Street, as it appeared in 1855, showing the site of the Boston Library, and the early home of the Historical Society.
- A volume containing mottoes and devices taken from envelopes used in the Rebellion, in 1861. Compiled by Hon. Henry Sidney Everett. Given by Miss Sibyl Everett.
- A large framed photograph of George Frisbie Hoar. Given by Grenville H. Norcross.
- A large photogravure of Leslie Stephen. Given by Charles Francis Adams.
- A sword and sash worn by Colonel Joseph Dudley (1780-1827), of Roxbury. Given by his granddaughter, Mrs. Lucy Dudley Rumrill.
- An oil painting of George Livermore by Carroll Beckwith, New York, December, 1904. From the income of the General Fund.
- An engraving of George Washington, by J. A. J. Wilcox, after a miniature, enamelled on copper by Henry Bone, which followed an original crayon sketch by William Birch in 1796. Given by Samuel A. Green.
- Two steel engravings of Rear-Admiral D. G. Farragut, one by O'Neill, New York, published by C. B. Richardson, and the other by George E. Perine, New York, after a photograph by Fredericks; also a photo-electrotype engraving of Charles Devens. Given by the estate of Charles W. Folsom.

The labels formerly in use in the cases have been replaced by new ones on the blank cards prepared by my predecessor, Mr. Jenks. Some progress has been made towards completing the collection of photographs of the members of the Society. The Cabinet has been open to visitors on Wednesday afternoons as usual, but the attendance has been small.

GRENVILLE H. NORCROSS,  
*Cabinet-Keeper.*

Boston, April 13, 1905.

The Report of the Committee to examine the Library and Cabinet was read by Mr. BOLTON:—

*Report of the Committee on the Library and Cabinet.*

Your Committee appointed to visit the Library and Cabinet of the Society have undertaken this pleasant duty. In 1899 the American Academy of Arts and Sciences came from the Boston Athenæum to occupy the rooms on our third floor, facing Boylston Street. The Academy will vacate these rooms during the present spring, affording increased space for books. We think well of the suggestion that a door be cut between the room above us, where very many of the Society's books are shelved, and the circular corner room which adjoins it. This was, we understand, part of the original plan. It will then be possible to devote these third-floor Fenway rooms more and more to American history; and the convenience of a large stack room, opening into a circular study room, warm, sunny, and with an attractive view, should appeal to members.

The Society's miscellaneous books and foreign newspapers might, in the judgment of Dr. Green and his assistants, be removed to the steel shelves in the stack above the Waterston room. We notice with some apprehension that the wooden window casings of these eastern rooms are within three or four feet of the windows of the apartment house east of us.

Accessions of books since the last report have been many and valuable. The Society's excellent selection of volumes relating to the neighboring Maritime Provinces will, we trust, continue to grow, since there must ever be a close connection between the Provinces and New England.

Your Committee wish that members of the Society and their families would visit more frequently the room which contains the Cabinet, now so well administered by Mr. Norcross. It is open on Wednesday afternoons. Provision was originally made in the ceiling of this room for two additional lights; the exhibition would at present be greatly benefited by adding these lights. In good time we hope to see two projects of long standing come to fulfilment, — more room for the Cabinet, and a wing devoted to a modern fireproof stack for books.

CHARLES K. BOLTON,  
MELVILLE M. BIGELOW,  
ARCHIBALD CARY COOLIDGE,  
*Committee.*

April, 1905.

Mr. WILLIAM R. THAYER, from the Committee to nominate officers for the ensuing year, said that he had received a letter from Mr. Adams declining a renomination as President. In a matter of so great importance the Committee had not felt that they would be justified in taking any action without consulting the Society. They had accordingly had the ballots printed without the name of any candidate for the Presidency. Mr. CHARLES E. NORTON paid a warm tribute to the services which Mr. Adams had rendered to the Society, and moved that his resignation should not be accepted, and that the Committee be instructed to insert the name of CHARLES FRANCIS ADAMS for President. The motion was adopted by a unanimous vote; and the following named persons were duly elected:—

*For President.*

CHARLES FRANCIS ADAMS.

*For Vice-Presidents.*

SAMUEL ABBOTT GREEN.  
JAMES FORD RHODES.

*For Recording Secretary.*

EDWARD JAMES YOUNG.

*For Corresponding Secretary.*

HENRY WILLIAMSON HAYNES.

*For Treasurer.*

CHARLES CARD SMITH.

*For Librarian.*

SAMUEL ABBOTT GREEN.

*For Cabinet-Keeper.*

GRENVILLE HOWLAND NORCROSS.

*For Members at Large of the Council.*

JAMES FROTHINGHAM HUNNEWELL.  
JAMES DE NORMANDIE.  
THOMAS WENTWORTH HIGGINSON.  
ALBERT BUSHNELL HART.  
THOMAS LEONARD LIVERMORE.

Dr. Green having been elected to fill two offices, Mr. ROGER BIGELOW MERRIMAN was, on motion of Mr. Thayer in behalf of the Nominating Committee, elected an additional member of the Council, in order that that body should not be reduced below the number of thirteen persons.

Remarks were made during the meeting by Messrs. JAMES F. RHODES, CHARLES E. NORTON, THOMAS MINNS, SAMUEL A. GREEN, CHARLES C. SMITH, GAMALIEL BRADFORD, and MOORFIELD STOREY.

A new serial of the Proceedings, containing the record of the meetings of January, February, and March, was ready for distribution at this meeting.

After the adjournment the members and a few invited guests were entertained at luncheon in the Ellis Hall by the junior Vice-President, Mr. James Ford Rhodes.



## MEMOIR

OF

HENRY LEE.

BY JOHN T. MORSE, JR.

HE to whom is allotted the task of writing a memoir of Henry Lee must be gravely discouraged at the thought of how immeasurably better that gentleman himself would have done it. He was often entreated to undertake it, and in his later years he made some trifling notes and dictated a few pages which he called "Random Reminiscences of an Octogenarian"; but these stopped short with the days of infancy and the first dawning of personal memories. Indeed, if they had been continued on the scale upon which they were begun, they would have made the *Encyclopædia Britannica* seem a small affair by comparison. It is necessary, therefore, that some one else should come halting along over the road which Mr. Lee would have travelled in much more lively fashion.

It is a common delusion that every character can be, and ought to be, accounted for by reciting the names, dates, and occupations of a parcel of deceased ancestors, probably commonplace persons not widely different from the average of their coevals, who also were being the ancestors of somebody. The genealogical paragraph in this memoir can be best given by adopting Mr. Lee's own memoranda. He numbers among his direct ancestors Governors Thomas Dudley and Simon Bradstreet, Major-General Daniel Goodwin, Major Thomas Savage, "whose wife was Faith Hutchinson, a daughter of the famous Anne Hutchinson; . . . also the Reverends John Cotton, Francis Higginson, Flynt, and Symmes, besides Tyngs, Lakes, Quincys, Pickerings, Amesess, Tracys, Jacksons, and Cabots. . . . The family line includes no less than nine clergymen prominent in Colonial times." It was a well-assorted lot



*Henry Lee*

# MEMOR

4. 2

HENRY LEE.

77 JOHN F. MORSE, JR.

Mr. Lee when, is allocated the task of which, a man of  
young Lee must have been duly impressed at the thought  
of the time seemingly better than gentlemen themselves, and  
the fact. He was often endeavored to undertake it, and in  
four years he made some titling notes and detached  
pages which he called "Random Reminiscences of an Old  
gentleman"; but these stopped short with the day or into  
the first day of the off of personal memories. Indeed, if  
had been continued on the same upon which they  
began, they would have made the Encyclopedia Britannica  
even a small affair by comparison. It is necessary, therefore,  
that some one else should come halting along over the road,  
which Mr. Lee would have travelled in much more easily  
than alone.

It is a common delusion that every character can be ascribed to be a portrait for by political opinions, duties, occupations of a parcel of deceased persons, as, probably, of nonpious persons not widely different from the average of the nation, who also were before the American Revolution. The material practical friends are more or less as they are by Mr. Lee's own memorials. The numbers of his direct ancestors, Governors Thomas Dudley and Sir Beauchamp, Major General Don't Goodwin, Major Thomas Sever, "were with us" Earl Hutchinson, a daughter of the famous Anne Hutchinson; ... also the Reverend John Cotton, Francis P. Robinson, Lynde, and Symonds, besides the Lees, Quakers, Bickerings, Wases, Truys, Jacksons, ... The family line includes not less than nine generations in Colonial times. It was a well-associated



*Henry Lee*



of the local types. Mr. Lee was wont to say that he was prouder of the blood of Anne Hutchinson than of that of the governors, and certainly the ingenious may find in him traits which will recall her, with amendments appropriate to changed surroundings. Mr. Lee says: "The Christian name of Mr. Lee's first ancestor in this country and the date of his arrival are in doubt. His wife's name was Martha Mellowes." But he adds: "He lies buried on Copp's Hill, and his obituary is worth quoting: 'July 21, 1766. — Yesterday morning died Mr. Thomas Lee, in the 94th year of his age, who in the early and active part of life carried on considerable Trade in this Town, though he deserves to be recorded rather for the unblemished Integrity of his Dealings, and the exact Punctuality of his Payments, than for the extent of his Trade, or the length of his life.'"

Thomas Lee, born December 17, 1702, was graduated at Harvard College in 1722; he was bred a merchant, lived in Salem, was for several years a Representative to the General Court, married, first, Elizabeth Charnock, and on December 29, 1737, as his second wife, Lois Orne. His son Joseph, born in Salem, May 22, 1744, became a sea-captain; he "had a great talent for mechanics, especially for ship-building; and a numerous fleet, designed by him, was sent out as privateers during the war of the Revolution, and was afterwards engaged in trade with Europe and the East and West Indies. . . . He, with the Messrs. Cabot, whose only sister, Elizabeth, he married, removed to Beverly, and, after a term of sea service, carried on an extensive business for many years with his distinguished brother-in-law, the Honorable George Cabot, who, as junior, had served him through all the grades from cabin-boy to partner."

Henry Lee, ninth child of Joseph Lee, was born in Beverly, February 4, 1782. He became "a prominent East Indian merchant," and was "in Calcutta during the War of 1812. . . . In the prime of life, Mr. Lee was well known as a writer on financial topics, . . . and was a valued correspondent of the Anti-Corn Law League. He was the unsuccessful rival of Honorable Nathan Appleton as candidate for Congress from Boston, in 1850, upon the tariff and free trade issues. He was a firm believer in free trade, and wrote the famous 'Boston Report' of 1827 against a further increase of tariff duties. It was his fortune in 1832 to receive the electoral vote of South Carolina for Vice-President of the United States, on a ticket with John

Floyd.<sup>1</sup> Mr. Lee married Mary Jackson, daughter of Honorable Jonathan Jackson, June 16, 1809, by whom he had six children. He died February 8, 1867, having just completed his eighty-fifth year."

Of this Henry Lee and Mary, his wife, the third child was Henry Lee, the subject of this memoir. He says that he was "born in a house on the southeast corner of Columbia St. fronting on Essex St., the second of September, 1817. . . . The tenant who had occupied this house, and from whom my father had it, had left it in a very dirty condition, and my mother, the most scrupulous of housekeepers, had to superintend its purification; and she always insisted that the pre-natal influence of her devotion to the Augean task was unfavorable to my character, making me, as she expressed it, too much of a quiddle, more nice than wise; and I have been handicapped all my life by this unfortunate pre-natal influence."

In the sea-coast towns of Essex County, Cabots, Jacksons, Lees, and Higginsons long formed a group of families who, with a gratifying consciousness of being decidedly the "best people," held themselves somewhat aloof, and intermarried and associated together with a cheerful consciousness of entire safety. When some of the members of these families came to Boston, they retained these same habits. Thus Mr. Lee grew up as a member of a large and closely united circle of kindred. Evolved from such ancestors and bred amid such influences, one would expect to find him developing into a typical New Englander. In fact he did nothing of the kind, but owed his charm during his life, and his interest for us now that he is gone, to his fresh and racy individuality.

Of his boyhood nothing noteworthy is to be said. In due course he entered Harvard College in the Class of 1836, and thereby became one of the actors in the great rebellion of 1834, which is recorded as the most remarkable outbreak that Harvard has ever seen, "a matter of public notoriety and of general interest." Concerning this matter Mr. Lee remained to the end of his life utterly "unreconstructed," and more than once declared that he would rebel again under the same circumstances. The opportunity to place on record a vindication of himself and his classmates occurred on one occasion, and to his great indignation was foolishly taken away by some over-

<sup>1</sup> This was by reason of his free-trade or low-tariff views.

priggish person. "In the year 1875," he says, "at the solicitation of the editors of the Harvard Book, I wrote an article on University Hall in which I gave an account of the rebellion of 1834. At the dictation of some unknown censor, this most important and interesting item in my sketch was stricken out, which so roused my indignation that I declined to have my garbled production published ; but the entreaties of the editors prevailed, and I reluctantly consented." The condemned passage is found among his papers, and certainly the omission is to be deplored. Of course Mr. Lee shared the punishment which was inflicted upon all his classmates save three, and which amounted to a suspension of all relations during several months, — in other words, a long vacation. Later, in his senior year, Mr. Lee amused himself by screwing up the door of a tutor's room when that learned gentleman was inside. For this prank he was again "rusticated at Reverend Mr. Ripley's, Waltham, where Emerson, Dr. Convers Francis, and he [Mr. Ripley], then fresh from German Universities, were wont to hold high converse kindled by the enthusiasm and eloquence of their inspired hostess." Rustication into such surroundings was probably fully as beneficial as were prayers and recitations at Cambridge.

Immediately after graduation, Mr. Lee entered his father's "counting-room," and in 1838 was taken into partnership. The business was foreign commerce, chiefly with the East Indies, in part also with Brazil, and soon after graduating Mr. Lee sailed as supercargo to Rio de Janeiro. Two years later he said to the senior partner that either he, the father, must retire, or he, the son, would do so. The elder acted upon the suggestion, and two years later withdrew, leaving the business to be continued by Mr. Lee and Mr. W. S. Bullard.

By 1852 it was becoming clear to shrewd New Englanders that they had better retire from foreign commerce, which was being slowly but surely eaten away by the protective tariff. Of those who were unable to change their ways, the greater part, clinging to a steadily declining business, lost in their later days most of what they had won in their prime. Fortunately, Mr. Lee was wise enough to save himself, not precisely from the sinking ship, but from the rotting ships. But a transition from an occupation wherein the merchant had to keep constantly informed as to the products and industries,



the laws and customs, the policies and the politics of nations all over the world, to the daily business of spinning each year the greatest possible number of yards of cotton cloth, did not commend itself to Mr. Lee. Loyal to the teaching of his father, and resenting the economic policy which was at once a cause and an effect of this transformation, he remained a staunch believer in free trade to the end of his days. With his usual warmth of feeling, he even obstinately eschewed investment in the factory stocks of New England.

Thus debarred from commerce and manufactures, he turned to banking and brokerage, and became a member of the firm of Lee, Higginson & Co., a partnership already established by his relative, John C. Lee, of Salem, and his brother-in-law, George Higginson. Thereafter he was in State Street nearly every day, and as he accumulated a large property it is right to say that he was a successful business man. Yet he was never very fond of business, never became absorbed in it, and was very moderately ambitious of business distinction. He was very wise concerning real estate in Boston and vicinity, and a gentleman pre-eminently competent to pronounce an opinion says: "Colonel Lee had a remarkably sagacious judgment in real estate. He bought and sold a great deal of it. I have often run across the trail of his transactions, and can say that there was nearly always a profit, and often a very big one." Naturally his character and his achievements, in combination, won for him in the community a high reputation as a financial adviser; he was much in demand for positions of trust, and the funds of which, first and last, he acted as treasurer were innumerable. Since he never desired to become a professional trustee, far the greater part of these charges involved care and responsibility without other compensation than such gratitude as beneficiaries chose to feel. The chief public office of this kind which he filled was that of President of the "Provident Institution for Savings in the Town of Boston"; to this honorable position he was elected December 21, 1887, and he held it till his death.

His great undertaking, which was entirely his own in conception and fulfilment, was the building of the "Safety Vaults" at No. 40 State Street. These were the first thing of the kind in Boston; something of the sort had been constructed in Philadelphia and in New York, but in the em-

bryonic stage, and "Lee's Vaults" were unique in the country until they served as patterns for others. The novel labor of planning and constructing these vaults was conducted wholly by Mr. Lee himself, and fell in happily with his natural tastes. When they were finished, the reception which they met with was a great tribute to him personally; for during many years they were not incorporated, but were his private enterprise, of which the absolute and exclusive control was in his hands, and all responsibility rested upon him alone. Very few men, coming with a new scheme of this kind and standing alone in handling it, would have been able to secure the fundamental condition for success in the confidence of the anxious and careful owners of bonds and stocks. The personal compliment to Mr. Lee was of the highest, and it was with just self-satisfaction that he declared this enterprise to be the "crowning effort" of his life and his "special pride."

At the risk of raising havoc with the reverend traditions of this grave Society, there should be inserted here a few paragraphs on a subject of a nature lighter than is often known in our Proceedings. This concerns Mr. Lee's extreme passion for all matters dramatic and theatrical. In 1847 this took shape in the inauguration of a series of private theatrical entertainments, which were continued through so many years that they seemed almost to take the character of a permanent institution. It was not as a mere personal amusement that he took this up, but rather as a very serious intellectual diversion. He was a thorough student of dramatic literature, and knew his Shakespeare and his Sheridan and the other classics of the stage as a clergyman of the Episcopal Church knows his Prayer-book. If the social chances had cast him in such a position that he could have cultivated the Thespian art for a livelihood, it is not improbable that his natural proclivities would have led him to it and that he would have won distinction. Partly by coincidence, partly as the result of his own contagious ardor, Mr. Lee now found himself the chief and controlling spirit in a circle of friends inflamed with a zeal for dramatic work, — work, not play. His superiority was admitted; he was drill-master and critic, so exacting and so plain-spoken that sometimes there were mutterings of revolt, which, however, always subsided under the pressure of his

pre-eminent capacity. The plays were not of the burlesque order so dear to amateurs; for example, "The Rivals" was a favorite, and for once the doctrine of the inferiority of the best amateurs in comparison with professionals was broken through; Mr. Lee's Sir Anthony Absolute rests in the memory of those who saw it as probably the best presentation of that character that has ever been seen upon the stage, at least in this country. Once Mrs. Fanny Kemble acted with him, taking the part of Mrs. Malaprop, and having such a stage fright that she forgot her lines.

Lapse of time gradually broke up this dramatic group, and Mr. Lee ceased to appear upon the stage, but he was often invited to give quasi-public readings for various worthy objects, and he did so with great success. A natural result of his dramatic tastes was that he established friendships, more or less intimate, with many of the more distinguished actors and actresses. Mrs. Kemble was his lifelong and valued friend; he was also a friend of William Warren, most delightful of companions, and of fine old John Gilbert, and many more.

To the actors of more recent years he was less well-inclined, and was long in learning to like Sir Henry Irving and Miss Terry. When Joseph Jefferson presented his ill-judged travesty of the part of Bob Acres, that misrepresentation seemed to Mr. Lee a blasphemy and unpardonable sin. He protested against it in a critique which is well worth reproducing as a specimen of his trenchant style:—

"The papers announce that Jefferson is to appear as Bob Acres. I look forward with impatience, for I dote on *The Rivals*. Contrary to the critics, I prefer it to the *School for Scandal*, which always leaves a bad taste in my mouth. At last the hour arrives, I make my way to the theatre, breathless and fluttered, awaiting the test. Two hours later I slink out of the building, stunned and compromised. I have assisted at a vulgar outrage, a wanton insult, a nauseous incongruity. Is this the classic composed by Sheridan, every line full of meaning, every sentence rounded, which the best comedians had illustrated ever since the Battle of Bunker Hill, which I have seen countless times in Boston and New York, as well as in New Orleans, London and elsewhere, every word of which I know by heart? What is this hodge-podge they are talking? Why does Sir Lucius, a high-spirited Irish gentleman, exchange vulgar familiarities with Fag, and why is he so elephantine? Sheridan gives us to understand that Bob Acres is a

jolly, obtuse, raw, country squire, apple-faced, goggle-eyed, pudding-voiced; but here we have a lanthorn-jawed, nasal-twanged, shrewd-eyed, speculative Yankee. As for the dialogue, instead of Sheridan's finished, perfect, impressive sentences, sparkling with wit and humour, neither too long nor too short, we have a hodge-podge composed by the *dramatis personæ* as they go along, wretched verbiage."

It was natural that such tastes should lead him to become a member of the Tavern Club, and natural also that his fellow-members of the Club should make much use of such good material. They made him their president, and they called upon him to preside at dinners and to deliver speeches of welcome to the many famous actors and musicians whom they entertained. Many persons will long remember with pleasure his admirable fulfilment of these functions. His fine personal appearance and distinguished bearing, his genial expression, his wit abundantly flavored with literary and classical allusions, combined to create a rare fitness for such festivities.

When the Boston Theatre was built, it was a matter of course that Mr. Lee should be interested in the enterprise. His brother-in-law was the architect, and he himself was one of the original proprietors, and for about eight years he was treasurer. When the ownership changed and a new principle of management was adopted, he severed his connection with it.

Amid these cares of business and pursuits theatrical, on October 20, 1845, Mr. Lee was married to Elizabeth Perkins Cabot, a daughter of Samuel Cabot, and, through her mother, a grand-daughter of that Colonel Thomas Handasyd Perkins who in his day was probably the most prominent citizen of Boston. When the news of his engagement was told by his mother to Mrs. Eliza Buckminster Lee, that "eccentric lady" expressed her regret, because "the Lees were too rough to be husbands." Perhaps the good lady knew whereof she spoke, and with her remark as a generalization we will not take issue; but certain it is that Colonel Lee was never rough with any lady in any relation of life. On the contrary, his fine courtesy, of the kind called "old school," was not superficial breeding only, but was the natural expression of a genuine chivalry of feeling. It may be said that the ladies of his acquaintance, appreciating the quality of his admiration, returned it by a very loyal regard for him.

Mr. Lee's kindred had never been especially noted for activity in public affairs; they had been persons of liberal and even advanced ideas, but had the conservatism of members of a well-to-do upper class. It was therefore a new departure that Mr. Lee made in becoming actively interested in politics and upon the Radical side. During four years before the actual formation of the Free Soil party he had been promoting it; and he was one of the vice-presidents at the first meeting of the party, in 1848, at which Governor Andrew was president. With this political group he stayed until its absorption into the new organization of the Republican party. It was a decision and an action to which he frequently referred afterward with great satisfaction. Thus, in a speech before the Civil Service Reform Association, he said:—

“You, who have known the Republican party of the last twenty years, can hardly be made to know, much less to feel, how insignificant in numbers and standing seemed the Free Soilers when they seceded from the great Whig party, then panoplied with the respectability, the wealth and talent of New England. . . . Words fail to express, looks or acts to convey, their [the Whigs'] contempt, and the Democrats' hatred, of these few, young, obscure appealers to a higher law. It was a long contest, beginning openly in 1848 and ended only by the breaking out of the Civil War. . . . The triumph of the Free Soilers, or Republicans, as they were subsequently called, was the slow triumph of progression over retrogression, of resolution over irresolution, of principle over policy, of a higher law over a lower law.”

Many a time, in like vein, he took justly merited credit to himself in this respect.

When John A. Andrew entered upon the governorship of Massachusetts, he nominated Henry Lee as one of his staff. The commission bears date January 15, 1861. Hence came the title of Colonel, which seemed so appropriate that it ever after remained a prefix to his name. These aides, usually civilians suddenly made military men by the magic of nomenclature, are always, of course, tall handsome gentlemen, well set up for wearing the ornate panoply of war with good effect, and for looking just like the colonels of the story books. But Governor Andrew foresaw for his aides more serious work than attending dedications and sundry sorts of openings, and dancing at charity or other reputable balls. Also, besides physique

and efficiency, he desired a connection with that upper stratum of society which for the time being mistrusted him for an enthusiast, a sentimentalist, and a dreamer; which doubted his practical good sense, and deemed his election dangerous for the Commonwealth. Whatever the governor, upon his part, may have thought of these high-placed persons, he was at least obliged to recognize that, by their education and wealth, by their solidarity and their ability, they were powerful, and that, in case of trouble, friendly relations with them would be most desirable.

When Mr. Lee received the invitation, he hesitated; for however widely he differed from most of his friends in political convictions, he was not free from their prejudices against the new governor. Later he wrote some reminiscences of the governor, rambling, anecdotal, and entertaining. In these he said:—

“Meeting the governor just after election at a political levee, I refrained from joining in the congratulations generally expressed, because I distrusted his fitness for the office at such a critical period. . . . I was afraid he might be one-sided and indiscreet, deficient in common sense and practical ability. So when, in the first days of January, 1861, I unexpectedly received a summons to a position upon his staff, I was agitated by my desire to perform some little service for my country in the approaching crisis, and by my reluctance to attach myself to a leader whose judgment I distrusted. After a frank explanation of my embarrassment, finding that the governor still desired my aid, I reluctantly accepted the appointment.”

His decision met little approval in his own circle, and during the rest of his life he never forgot “the personal expression of surprise and regret from friends and acquaintances at his connection with this supposed foolish fanatic.”

Immediately came the contracts put out by Governor Andrew for military overcoats, and the famous scene when he kissed the Revolutionary musket in the hall of the House of Representatives. “For the moment,” said Colonel Lee, “you had only to mention the word overcoat or speak of kissing the musket to excite the risibles or call down the oburgations of the scoffers, to whom these untimely acts seemed the height of folly and wickedness.” “The scoffers,” be it noted, were Colonel Lee’s relatives, friends, and social acquaintances. Yet

when it turned out that the overcoats were scarcely finished in time to appear on the backs of soldiers bound for the defence of the national capital, opinions of intelligent men began to veer about. Forthwith ensued the severe labors of the governor and his aides in the untried departments of mustering, equipping, organizing, and despatching thousands of troops for active warfare. Early and late and earnestly Colonel Lee bore his share. When the first regiments reported, marching through sleet and rain to the State House, he assisted the governor to receive them, attended to the distribution of their equipments, and, with the aid of Mr. John M. Forbes, arranged for their transportation.

In the distribution of duties which soon took place, the matter of the selection of officers fell more especially to the charge of Colonel Lee. Applications for commissions poured in; especially was there a rush by the young men of the old Boston families, by recent Harvard graduates, and by several undergraduates. The governor knew very few of these; but Colonel Lee knew many of them personally, had means of information as to others, and could always venture a guess on the ground of heredity, for if he did not know the individual, he was quite sure to know what ought to be expected from the offspring of that individual's ancestors. It was an uncertain test, but better than none. Throughout the war, and in fact long afterward, Colonel Lee took the warmest interest in these young men whom he thus studied, valued, and introduced to their military career. The officers of the Twentieth Regiment, which was in the initial engagement of Ball's Bluff, he always called "his boys" with especial affection.

What Colonel Lee knew or believed, he invariably spoke out with his habitual blunt directness. One day the governor said to him: "What do you say to making — Quarter-master in the —th regiment?" "I say you sha'n't do it, Governor." "Why not?" "You know as well as I." "No one of us is perfect." "No, but some are nearer to it than others. That man is a damned thief, and you have no business to put him in charge of Uncle Sam's property." On another occasion, irritated by the governor's too soft-hearted propensity to give bad men a chance, which they rarely took, to become better, Colonel Lee said to him: "Governor, my time is yours, my character is my own, and unless you drive off some of

these scallawags, I shall leave you. . . . You are so concerned about the wicked that you have no heart for an honest man."

In labor of another kind, Colonel Lee was less successful in assisting the governor. His pen knew no more restriction than his tongue, and when he was requested to attend to the correspondence, the results were so spirited that the governor dubbed him "the unfortunate letter-writer," and turned this labor over to others.

A sense of personal loyalty was not long in developing on the part of Colonel Lee towards the governor. In 1861 there occurred the famous clash between the governor and General Butler, in which the latter undertook to override the governor in the matter of enlisting regiments and commissioning officers in Massachusetts. The War Department at Washington fell a victim — a rather stupid victim, it must be confessed — to the adroitness of Butler, and gave him an authority entirely illegal. Colonel Lee, in Washington, had an interview with the President which must have been somewhat unusual in its character. Mr. Lincoln, loyal as ever to his subordinates, was anxious to help the War Department out of its scrape, and in the course of a conversation tried to turn the matter off with a joke. "General Butler," he said, "was cross-eyed, and therefore probably could not see things as other people did." But Colonel Lee, meaning business, was not so easily diverted, and made remarks so plain that finally the President said: "Then, Colonel Lee, you mean to say that I lie?" "No, indeed, sir, I mean no such thing." "Then you mean that General Butler lies?" "Oh, yes, I say *that*!" It is not surprising to hear that the colonel soon concluded that he might have transcended prudence, and that it was better that the governor's case should be presented to the President by Attorney-General Foster "in a more quiet and convincing manner than I am capable of."

Colonel Lee's services as aide exacted long labor on his part, and the sacrifice of his time greatly to the detriment of many private interests entrusted to him. Accordingly, after three and a half years, when matters were in such train that he felt free to leave, he offered his resignation. He concluded his letter to the governor with this honest expression of an opinion which had changed much since the time when he had



hesitated to accept the office: "I feel a very sincere attachment to you. I appreciate very highly the zeal and great ability you have developed in carrying — lugging along — the State through this great crisis. I admire still more your entire disinterestedness, and I shall always be as now, Your devoted friend, H. Lee Jr." The governor accepted the resignation on the following day, January 9, 1864, with many friendly words.

Colonel Lee's untiring services to the Volunteers were handsomely recognized by them later, when they placed him in the small and carefully selected list of Civilian Members of the Military Order of the Loyal Legion of the United States in the Commandery of the State of Massachusetts. Yet no one condemned more bitterly than he those "heaven-born" generals who came out from civil life to demand and accept high military rank and responsibilities, for which their experience did not fit them. Of the "incompetent generals" he marked "Banks and Butler as flagrant instances." Of Banks he said: "I agree with Thaddeus Stevens, who said that there was nothing remarkable about him except the wobble in his voice." And he spoke of a friend "whose only son was murdered by General Banks at Cedar Mountain, with five other braves."

Colonel Lee's love of things military began in childhood, but did not pass with that period. In college he had taken the liveliest interest in the Harvard Washington Corps. As a young man he was a member and an officer of the Independent Corps of Cadets. Later, the Veteran Association of that corps voted a tender of their thanks to him "for his valuable and efficient services while in the Legislature in procuring for the Association an Act of Incorporation." On January 29, 1841, Governor John Davis issued to him a commission as Second Lieutenant in the First Brigade of the First Division of the Militia of the Commonwealth; and on December 28th of the same year he was promoted to a First Lieutenancy. George Tyler Bigelow, afterward Chief Justice of Massachusetts, was the colonel. His labors as aide-de-camp in time of war naturally stimulated his interest and greatly increased his knowledge in matters military. Accordingly he was ordered by Governor Andrew to "write a history of the Militia with a scheme for its improvement." This led to the publication, in 1864, of a monograph of 130 octavo

pages entitled "The Militia of the United States: What it has been, what it should be." It was the result of great labor, and was freely used by the commission which framed later the existing Militia Law of Massachusetts. Further, for many years thereafter, Colonel Lee poured into our receptive newspapers liberal contributions on military matters. One of his letters to Governor Andrew on militia matters is delightfully characteristic:—

MY DEAR GOVERNOR, — As you take a paternal interest in my efforts in behalf of the Militia, I enclose a piece which may have escaped your notice, in which I attempt to express my deep dismay at the negligence or pusillanimity of the Legislature in abandoning the system of compulsory service, and also at the falling to pieces of the Second Regiment owing to this sneaking legislation, and also to the delay of the State to uniform them.

We have never raised, and shall never in our lifetime raise, a regiment so well composed and officered, consequently so well disciplined. The principal officers, many of the lesser officers, are men just from actual service.

I attribute this suicidal policy to the Banksy, tricky, shilly-shally character of our lawmakers; and the delay as to uniforms to the equally low and tricky Quartermaster General of this State.

My dear Governor, if the Lord forgives knaves, he is equally forgiving to honest men: why will you therefore surround yourself with Pierces and Spears and Wheelwrights and a host of others, to your great moral and mental woolgathering, and to the disgust of your friends who are at least indifferent honest? I fear this bad appointment, when you had a state full of honorable disabled officers to select an Inspector General from, has cost us our Militia and you a benefaction you might have left on going out of an office you have filled so gloriously in spite of your crazy optimism.

Your old blackguard,

H. L., JR.

After retiring from Governor Andrew's staff Colonel Lee held public office only twice, namely, in 1876, when he was elected a member of the State Legislature from Boston for the Ninth District of the County of Suffolk, to which position he was re-elected in 1877; and afterward when he was placed upon the Park Commission. For this latter place he was admirably fitted, both by knowledge and by taste; but after a short time Mayor O'Brien, "fulfilling the purpose for which the ring nominated and elected him," put into the places of Colonel

Lee and Mr. Gray "two Democratic politicians." In later years, mentioning these two legislative terms, Colonel Lee added that, "having like his ancestors little taste for public life, he had since declined various official positions of a public nature." What these positions were one would like to know. They could hardly have been any which the manipulating politicians of either party could have blockaded against him, for he was precisely the kind of man whom politicians detest — upright, independent, and outspoken. Fortunately, by holding aloof from competition for office, he at least avoided the uselessness attendant upon the reputation of being a disappointed seeker or a wrong-headed "kicker." None the less his interest in public affairs survived without diminution to the end of his life. With a very fervid temperament, and strong, clear convictions about affairs and men, he always made his opinions public, and exercised a varying, but generally considerable, influence in eastern Massachusetts. Meeting daily, in the way of talk, an unusually large number of persons, he had opportunities of spreading abroad his views, of which he availed himself with much eloquence and persistence. Also as a frequent writer for the newspapers he reached a wider audience, and few intelligent Bostonians passed by a letter or paragraph signed "H. L." or "An Old Free Soiler," or "Senex," — favorite signatures which, like red flags, indicated something to be looked out for, something probably explosive in the immediate neighborhood. For, as the foe of all that was dishonest, mean, crooked, or incompetent in public life, Colonel Lee found occasion for the frequent use of his fine gift of trenchant composition. Moreover, in a literary way, his work had much fascination alike from his original way of putting things, his spirited style, and his singularly happy use of quotations and allusions. Of these he had a vast store, drawn chiefly from the Bible, Shakespeare, Sheridan, and Emerson, but by no means limited to these writers, for every picturesque phrase seemed at the tip of his pen. He was apt to open his paper with some quotation which struck the key-note and set the reader at once in an appreciative attitude, — as when, attacking McClellan for accepting the Democratic nomination for the Presidency while the war was still waging, he headed his paragraph: "Died Abner as the fool dieth."

If the Civil War, like all wars, stimulated corruption in excess, it also, by its unusual infusion of moral elements, encouraged the growth of a small but earnest set of idealists in public affairs. These men cherished for the Republican party no ordinary party fealty, for they respected it and really believed that it was going to introduce permanently a decent, even a high, standard of morality in public affairs. Prominent among these men was Colonel Lee; but for him and his comrades the two administrations of General Grant were disillusioning. Especially was he pained to admit that nowhere else did conditions seem worse than in Massachusetts, where the party either could not or would not eject General Butler. For many years the respectable citizens of Massachusetts gathered to the hunting of Butler as their ancestors in old England had gathered to the hunting of the fox, and no man was more sure to be present at these meets than was Colonel Lee. Time and again his assaults were printed in Boston newspapers, and that they actually made the thick-skinned victim wince was proved; for in the year of Butler's governorship a bill for the incorporation of Mr. Lee's Safety Vaults was passed by the Legislature, and came before the governor for signature; he vetoed it, and when asked why, he replied simply, "I am human." Doubtless Mr. Lee was easily reconciled to postponement of the incorporation by the pleasure of knowing that his thrusts had gone home.

The position into which Colonel Lee was being squeezed by the pressure of political conditions was soon obvious enough. Either the Republican party must purge and live cleanly or it must do without the support of the idealists. It chose the latter course, and with correct political judgment, for since 1856 its leaders have gathered a vast harvest of plums and have lost only three elections, and one of these three they managed to filch and appropriate. Yet Mr. Lee, malcontent though he was, stayed with the old party longer than did some others, and voted for Hayes rather than for Tilden. He, however, at the time closed a letter to the "Advertiser" with this paragraph: "While I abhor the very name of Democrat, associated with all its dirty history from Jefferson down, I hold slack allegiance to a party which offers as candidates, and produces as its great men, political bummers like the men enumerated above, men who merit not only political but per-

sonal contempt. A Free Soiler of 1848." The nomination of Blaine finally severed this "slack allegiance" of Colonel Lee to the Republican party. He became a Mugwump, — a Mugwump being a Republican temporarily malcontent; and the temporary conditions soon taking on an aspect of permanence, he passed into the position of an Independent. Yet neither position was long tenable for a man of his temperament; for their quondam Republican associates would not let go the useful and mal-sounding nickname of the Mugwumps, which, with shrewd obstinacy, they persisted in regarding as a synonym for apostate, and thus held their former comrades upon the defensive, so that even the brilliant aggression of Colonel Lee seemed to move from a defensive basis. This was intolerable, and ere long most of the band ceased to be mere allies of the Democracy and became merged in that powerful organization. In 1890 Colonel Lee forgot his "abhorrence of the very name of Democrat," condoned the "dirty history" of the party, and enrolled himself as a member. In that year in Massachusetts there was one of those sharp reactionary episodes which at intervals briefly interrupt the supremacy of the party which is really established in power. John F. Andrew, the War Governor's son (who was up for reelection); Charles R. Codman, an ex-Republican like Colonel Lee and who had commanded a regiment in the war; Sherman Hoar, nephew of the stanch Republican partisan Senator George F. Hoar, and Professor William Everett offered themselves as Democratic candidates for the national House of Representatives. Colonel Lee espoused their cause with great ardor and rejoiced exceedingly in their triumph. But two years later a reverse came. In the Presidential election Mr. Cleveland was defeated by Mr. Harrison. Mr. Lee, however, took it in good part, and drew the moral against his own political associates without flinching. He said: —

"I think the best policy for the Democratic party, in order to retrieve the disaster of yesterday, would be to keep their promises. The Democratic party is pretty well smashed. If its members had all followed the lead of Mr. Cleveland, not alone in regard to tariff but all other measures as well, it would have been well for them. Mr. Gorman and other wicked leaders undertook to frustrate his plans, and the result is to be seen now. No one-horse shay can go in two directions at the same time. . . .

"The Democrats had a good leader in Mr. Cleveland, an upright, courageous leader, and they had a truthful, considerate man at the head of the Ways and Means Committee, in Mr. Wilson; but some Democratic Senators tried their best to harass the leaders and not follow Mr. Cleveland, and to upset all Mr. Wilson's well-laid plans. Now it can be seen that they have made a mess of it."

Colonel Lee's collisions as an undergraduate with the Harvard Faculty left no enduring malice in his heart. On the contrary, apart from persons officially connected with the University, probably no one ever rendered more willing, more continuous, and more various service than he did. Natural aptitude led him constantly into the position of Chief Marshal, not alone on Commencement Days, but upon the two or three grand celebrations which occurred during his years of activity. Professor Bowen said of him: "Lee is a good marshal; he is our best marshal; and the cause is largely his supreme impudence." (It is said that Professor Bowen was the victim whom Mr. Lee had imprisoned in his room in bygone days.) But President Cleveland gave corroborating evidence. Colonel Lee was marshal when the President visited the University, and some time afterward the President said to him: "Oh, yes! you were the fellow who bossed me around so at Cambridge." The fact was that Colonel Lee meant that any procession under his command should come up to a high standard of excellence, whereas the graduate rank and file, lacking his military instincts, rambled or shambled along the paths of the yard in a manner which led him to complain with vexation of the "bovine movements of the Alumni." He was Chief Marshal on July 21, 1865, at the Commemoration Celebration in honor of graduates and undergraduates who had died in the Civil War. Several years later, in November, 1886, at the two hundred and fiftieth anniversary, he was again Chief Marshal.

In other less conspicuous ways he played his part as a liberal son of his Alma Mater. Harvard College has lain in the midst of the community like a sponge upon moist ground, always thirsty and soaking up all the nourishment within reach. From Colonel Lee it drew much at many times. He had a very deep affection for the College, watched every new movement, and had clear opinions as to present needs. The policy of numerical expansion did not find much favor with

him. He would have preferred to intensify what did exist rather than to move the boundaries farther out. Thus a scheme near to his heart was the raising of a fund for increasing the salaries of professors and tutors, and in advocating this he often gave such a humorous sketch of the lives of the underpaid Harvard instructors as recalled the tales of labor leaders as to the condition of factory hands during a strike. It made little difference, however, what Henry Lee thought as to policies so long as Charles Eliot was president. Very clearly it was the Colonel's duty to contribute, not to direct. He appreciated the situation, and one day, at a meeting of the Board of Overseers, he said, with the familiar shrewd and pleasant smile: "I offer to the president my purse and my advice, and I am reminded of the two women who were grinding at the mill — one is taken and the other is left."

His part in the building of Memorial Hall was prominent and important. He acted as treasurer, and there are two anecdotes of exceptional charges in connection with the fund which were assumed by him greatly to the advantage of the College. Professor Charles Eliot Norton in Sanders Theatre said that to Colonel Lee, "more than to any other one graduate of Harvard, we owe this Hall," and Professor Norton knew the facts. Again, in the movement for presenting the bust of General W. F. Bartlett to be placed in Memorial Hall, Colonel Lee took an active part upon the committee and made the speech of presentation.

Harvard graduates did what they could in recognition of Colonel Lee's abundant services. He was elected an honorary member of the Phi Beta Kappa Society. In 1867 he was chosen upon the Board of Overseers and was re-elected at the close of his first six years. Then, under the statute, he passed a year out of office, and was thereafter immediately re-elected in 1880, and again re-elected at the close of that term; so that his services extended from 1867 to 1892, inclusive, with the break only of the statutory year of recess. It is unfortunate that no record remains of the speeches made by him during his prolonged term of office. He was a regular attendant at meetings, interested in every matter, and, as is the custom in that body, he frequently interjected sagacious and humorous contributions into the debates. Thus, when compulsory morning prayers were under discussion, he rose for an instant to say:

"I am very pleased to hear that this duty is disagreeable to the students. This present fashion of making everything perfectly easy for them and letting them do, or not do, just as they choose, has been carried too far. I am very glad indeed to find some act which is distasteful to them, and I should like to compel every one of them to perform it once every day." But the memory of such remarks is fleeting, and those who recall them in a general way cannot recall them in particular.

In 1892, when the "Harvard Graduates' Magazine" was founded, Colonel Lee accepted the position of president. What cost him more labor, however, was his contribution in 1875 to that vast and pretentious publication "The Harvard Book." In this pompous mausoleum he buried a really admirable paper upon University Hall, one of the very few readable articles thus unfortunately entombed.

In time, Colonel Lee's numerous and useful services to the University received a well-deserved recognition from the Corporation, when that body proposed to confer upon him the degree of Doctor of Laws. Never was an offer of this distinction more entirely to the satisfaction of the graduate body. But Colonel Lee himself, after much consideration, decided not to accept it. He said that the degree should not be made common by being conferred upon any persons save those noted for high scholarship or who had gained some marked distinction in other walks of life; he said that he was enrolled in neither list. How great was the temptation which thus, as a matter of principle, he resisted, is made apparent by the fact that before his final determination he had prepared a speech for the occasion. He put Cæsar on the Lupercal quite into the background.

Any truthful picture of Colonel Lee must show him standing out against the background of Boston. Colonel T. Wentworth Higginson says that "he was as typical a Bostonian as could be found since the death of Colonel Perkins." He could have been at home amid no other surroundings nor in any other society. Sir Walter Scott said that if in any year he could not set his foot upon the heather, he should die. Mr. Lee might not have been quite willing to admit that if he could not very regularly see the dome of the State House he should die, but those who knew him would have said it for him. He was saturated with the spirit and the knowledge of New England.



He knew with much accuracy the annals of colonial days and the old family histories, not dryly like a mere genealogist, but with vivid and picturesque appreciation. He could tell where still ran the streams of the good blood of the old-time worthies as a sportsman knows the trout streams of the country. He could point out among his fellow citizens the descendants of the governors, the divines and merchants of colonial and Revolutionary days; the honors, the alliances, the scandals, the skeletons of all the old families, he could bring forth from the storehouse of his rare knowledge. All the ancient houses and streets, lanes and by-ways, were no less real for him than were those which actually surrounded him, vexing him by their newness. He had not probably that broad humanity which makes its owner kindred with all mankind, but he was in close spiritual kinship with all the men who had inhabited New England soil since the days of the Pilgrims. Therefore it was natural that he disliked the infusion of strange bloods into the pure old stock. "I feel more sensitive on this point," he said, "inasmuch as the prevalence of my name among the Mongolian immigrants will probably lead to confusion between my descendants and those of Yung and Ching Lee."

During the third quarter of Colonel Lee's life Boston was still of such size and such social homogeneity that it was quite possible for one of her people to fill the peculiar rôle of leading citizen. To this distinction Colonel Lee could for many years have laid a just if not an altogether undisputed claim. A gentleman as intimate with him as any one now living, being asked what was his distinctive trait, which had gained for him the high place which he certainly held in the community, replied: "His integrity, his extraordinary integrity." This, of course, did not indicate the ordinary merchantable honesty of State Street, but something greatly higher, not easily to be described in words, but which every one must understand and appreciate. It was a part of his nature, not the outcome of his intelligence and good sense, or even of his respect for the ordinary rules of morality. In fact, Colonel Lee was born with a terrible propensity for truth, — a propensity to which he yielded until it became a passion that completely mastered him. It was so natural to him that perhaps he really deserved no credit for it. It got him into trouble, but that is unavoidable; for, after all, it is our virtues which we have most reason

to fear. Our evil tendencies we know, and we may, if we choose, combat and control them; but our virtues, unsuspected of mischievous intent, steal upon us unawares, and treacherously entice us into snares and difficulties. Colonel Lee was never upon his guard against his good qualities. Respecting the truth and speaking it always, in season and out of season, he gave offence and made enemies as, in fact, he ought to have done; for a man who is really good for anything, and who is active in public affairs and in business, constantly touching the community at many points, ought to stir resentment occasionally. What is really astonishing is that one so uncompromising should have brought upon himself so little ill-will. But he seemed to lay claim to, and to be accorded, the privilege of free speech, as a sort of prerogative; he was forgiven until seventy times seven, and indeed very much oftener, and enjoyed general popularity and the warm affection of a much larger circle of friends than most persons acquire in the difficult passage through a not always amiable world. In some measure this was because he never spoke in malice, or from any unworthy motive, or with any secret or selfish purpose, or with the design of exalting himself by depressing another. His honest assault undoubtedly often wounded deeply, yet it did not excite a vindictive resentment; and the way in which his attacks were taken was to some extent a measure of the magnanimity of the man who was defendant. Moreover, every one felt the broad and genial kindness of his nature. His letters could not be illumined by his countenance, but in his spoken words any sting was almost always alleviated by an expression of amiability, such that often the person who winced under his satire would feel sure of receiving an act of personal friendship from him if need should be. Moreover, he was well known to have somewhat the April day temperament. Shadows drove across the scene occasionally. There were days when he was irritable and might quite as well have stayed on his grounds in Brookline as have come down-town in Boston. Withal, he was impulsive, and did not mitigate the expression of his feelings. On the contrary, by his facility in picturesque speech, he was sometimes led to over-express his opinion. Altogether, however, the world was very fond of Colonel Lee and gave him freedom to say what he thought, — which it does to very few of us. Colonel T. W.

Higginson says: "He had his own way many years; he was an unique personage in Boston; everybody liked him and would stand more impudence from him than from any one else."

With his money he was liberal, but not at all in a conspicuous way. His giving was constant, but it was very often to individuals and not usually in such large single sums as to attract general attention. It was the result of personal interest and thoughtfulness rather than that mere payment of tribute which rich men feel it their duty to make.

In conversation Colonel Lee was charming; but, of course, the charm can be brought back only as a delightful memory by those who used to hear him; to-day, in fact, there are hardly half a dozen survivors who can recall his talk in its best estate. His chats every Sunday forenoon during the summers at Beverly Farms with Dr. Holmes and his wife, with Mrs. Parkman, with Mrs. Bell, and with Mrs. Whitman, deserved as well to be preserved as much of the famous talk which has been kept fresh in print; but it has all gone irrecoverably. These brilliant people put him at his best; but he liked to talk with any one and he talked well with every one. He was one of those whom one would cross a muddy street to exchange a word with, and would pass on surprised and disappointed if, by a rare chance, something keen or picturesque or entertaining had not been said by the colonel. People used to repeat "what Harry Lee said this morning," and pass from mouth to mouth his "good things." As so often happens with witty sayings, one comes later expecting to glean much where there has been such luxuriance, but gathers hardly anything, finding only a general reminiscence with no memory of particulars. What was said passed with the passing of the incident which called it forth. His talk was often of contemporaneous events, and then it was sure to be fresh and breezy, and not infrequently the breeze came keen from the east. Often it was of the old times, the ancient places, the people long ago dead, the stories and gossip of bygone days. Upon such topics he was discursive and would take all the time that his hearers could give him. His face displayed the infinite pleasure he found in such converse. His knowledge was abundant, accurate, and above all picturesque, and his power of description was remarkably vivid. He seemed to draw pictures of the colonial governors and portraits of the

Indian fighters and Revolutionary soldiers, of the merchants and supercargoes, the ship-captains and the clergymen, and to show how they dressed and walked, how they talked, how they fared in their business ventures, what were their friendships and their partnerships, what their heart burnings and their quarrels among themselves. With equal skill he could replace the demolished houses, rebuild the old streets, and restore the decayed gardens and fences. He seemed to have visited the antique rooms, to have clanged the brazen knockers on the colonial front doors, and tasted the sea-tossed Madeira or the Indian rum, liberally dispensed at all hours of the day at the mahogany sideboards, whose foreign carving he delighted to describe. Every descriptive adjective seemed his servant, and in each instance precisely that one which he needed came at his call. Often it was some rare and ancient word which came pricking up dusty with age as though it had been laid away for generations in order to perform a perfect duty in this special case. This was a natural gift, which undoubtedly he had carefully cultivated to a great excellence.

No less skilful was he to observe and describe his contemporaries. Colonel T. W. Higginson says: "His judgments were often whimsical, often unreasonable, but pungent and telling. . . . He was a man too strongly prejudiced to be strictly just, but he was ready to be generous even to opponents." The same gentleman also tells that, when he undertook to edit the Harvard Memorial Biographies, his kinsman was very efficient in helping him to choose the writers, "often summing up the man's character in advance. . . . I should add that in that hour's talk with him about the Memorial Biographies, in speaking of men I did not know, he would often jump up and say, 'This is the way he would walk down State Street'; and after each imitation I would feel acquainted with the man." By his terse and vivid words he could present pictures which others delighted to see, but lacked the capacity or the courage to present. Once upon the occasion of the choice of a new member to fill a vacancy in the Corporation of Harvard University, much preliminary discussion occurred concerning the persons suggested. A list made by Colonel Lee was handed about, with prudent caution but to the infinite entertainment of the privileged few who saw it, and to whom it gave in a few words the salient points concerning

each candidate. To-day perhaps it may be safely published, since the only person now surviving is highly praised :—

1827. EDMUND QUINCY.

Spoiled a horn, but never made a spoon.

1829. JAMES FREEMAN CLARKE.

Scholarly, interested in the College, known through the State; but a Unitarian clergyman, as is Dr. Putnam.

WILLIAM GRAY.

Conscientious, public-spirited, bountiful, clear-headed, but works balkily in double harness, especially with the present Fellows.

1835. E. ROCKWOOD HOAR.

Hereditarily fond of the College, strong-minded; but too much like the present Fellows; would swear that black was white, if contraried.

1836. WILLIAM MINOT.

An old-fashioned man of excellent judgment and the loftiest character.

1837. RICHARD H. DANA, Jr.

Sincerely attached to the College, and widely known; not marked by common sense. One of my comrades adds: A happy faculty at making enemies.

1839. SAMUEL ELIOT.

A scholar, experienced educator, disinterested, devoted worker, known as a churchman,—but a cousin of the president.

1840. J. ELLIOT CABOT.

The most accomplished scholar among the graduates not connected with the College; a man of very judicial mind and noble characteristics.

WILLIAM G. RUSSELL.

"Mens sana in corpore sano," interested in the College; sagacious, judicious.

1841. FRANCIS E. PARKER.

Scholarly, shrewd, friendly to the College; but as his peculiarities are cultivated, his nature dies out.

1843. JOHN LOWELL.

Very eligible,—if an orphan.

WILLIAM A. RICHARDSON.

With a reputation strictly national; might be had if wanted.

1844. FRANCIS PARKMAN.

Interested in the College; of extensive literary reputation, of uncertain judgment, but abundant firmness.

## 1849. MARTIN BRIMMER.

No want save that of scholarship.

## 1855. THEODORE LYMAN.

Spirited, lively, but light-headed at times, and a cousin of one of the Fellows.

## PHILLIPS BROOKS.

A liberal churchman, an affectionate son of Harvard; fancy that his talent lies chiefly in preaching.

## ALEXANDER AGASSIZ.

A scholar, level-headed, disinterested; wise man.

## 1859. FRANCIS V. BALCH.

Not widely known yet outside his profession; but highly respected, where known, for his wisdom and perfect integrity.

Many brilliant instances of this descriptive faculty are to be found in various papers left by Colonel Lee. There was no "fortemque Gyan, fortemque Cloanthum" in his list of heroes; each one has his own proper distinguishment, done with a quick and clever touch, two or three lively words making a portrait.

The chatty and somewhat garrulous quality of Mr. Lee's talk and of his newspaper writings marks also the speeches and addresses, of which he delivered a great number on occasions political and social. The style was not entirely well fitted for formal use; but with his usual shrewd and just appreciation he dealt it out in that moderate quantity which was eminently agreeable, and always illumined his own remarks with those apt and humorous quotations and those literary allusions of which he had an endless store. He wrote in the same vein in which he talked and spoke. But as he talked better than he spoke, so he spoke better than he wrote. In his writing there seemed a certain fragmentary character. His thoughts succeeded too rapidly, so that not infrequently a single sentence held too many suggestions and allusions, became complex, and had to be read twice. He never had his pen long in hand before he had also an imaginary auditor before him, and thereupon he instinctively allowed himself those liberties which one may take in speaking, when aided by facial expression and inflection, but which are apt to disfigure writing. He was conscious of this failing in style, and perhaps it was for this reason that he rarely made any sustained effort in literature. Indeed, the article in the "Atlantic Monthly" on

Mrs. Kemble and his contribution to the "Harvard Book" are the chief papers which he left behind him. Most of his newspaper writing, however, on political and other contemporary matters was of an excellence rare in those days, always with "snap" and "go" in abundance. But such work has to be served hot, read the day it is written, and is usually but a cold dish when the event to which it relates is recalled with difficulty.

In one direction he was excelled by no person within memory. When Lord Campbell's "Lives of the Lord Chancellors" appeared, the living Lords declared that it added to the terrors of death to think that their biographies might be written by his Lordship. It might have been said in Boston, *e converso*, that it diminished the terrors of death to think that one's obituary might be written by Colonel Lee. This function of an "Old Mortality" in the newspapers may not seem altogether attractive, but it really became so when done with such gracious charm as Colonel Lee gave to it. He held a picturesque memory of each departed acquaintance, had a kindly appreciation of his good qualities, and was animated by sympathy for those who would wish him to be pleasantly remembered. Accordingly, he always drew a striking portrait, gave praise which seemed not less just and sincere than generous, and warmed all with genuine feeling. For men and women, for the lowly as well as the highly placed, Colonel Lee loyally used this rare faculty. He ranged from the Hon. Robert C. Winthrop down to "old Logan," the negro waiter whose woolly locks and kindly, respectable, and respectful demeanor made him really a prominent feature in the Boston of fifty years ago. In speaking of what he wrote, one should not forget his caustic review of Dr. Hale's "Story of Massachusetts"; it was a keen, sarcastic bit of work, which would have done honor to the pen of Lord Macaulay or of Francis Jeffrey.

Of Colonel Lee's tastes, next to matters theatrical, or perhaps not second even to that passion, came his great love for the country. Too much concerned in active and social life to bury himself in remote rural regions, he found his pleasure in such estates as in his day lay within a dozen miles of Boston. He had a quite extensive knowledge concerning the old places of this kind. Much of his own life was passed in Brookline, where he first built and occupied a brick house

on an estate which had been bought by himself and his father. This was a very charming spot, on the southerly slope of a hill, with an abundance of fine trees and an old-fashioned garden. Upon it had stood "the old mansion house in which was born Susannah Boylston, the mother of President Adams." In 1838 the ancient house was replaced by another, still standing, and described by Mr. Lee as "a fine specimen of the country house of the provincial era, with its ample fireplaces, well-wrought panelling, arched and pilastered alcoves, wide and easy staircases, carved balustrades, etc." Here lived "the famous Dr. Zabdiel Boylston, who was mobbed, and afterward honored, in this country and England, for introducing inoculation for smallpox. He was the uncle of John Adams." This history endeared the place to Colonel Lee, and he still owned it at the time of his death, though during his later years he occupied another house in the neighborhood, which had belonged to his wife's mother, and where he had sufficient scope to exercise his tastes for landscape gardening and horticulture.

Memoirists often find it wise to forget to mention the personal appearance and the manners of their heroes, but there is no such embarrassment in the case of Colonel Lee. He was very fine looking, tall, of vigorous form, and carrying himself well. He fortunately escaped too great regularity of feature; but if the sculptor would not have selected him to be perpetuated in marble, the painter would have desired no better subject for his canvas. His features were strong and manly, full of expression, and varying in sympathy with the mood of the moment. Sometimes he was thoughtful, but more often, in conversation, humor enlivened his face. Nearly always one saw plainly a mingling of shrewdness which would not be easily deceived, with kindness which would be readily moved. Yet he was quite capable of sterner aspect on occasions which called for it. His bearing was simple but very distinguished. No one ever looked more fully the gentleman, and his manners were those of the born aristocrat, and of a certain courtliness which seems to belong to bygone days. He looked as the best type of English gentleman ought to look, according to the dearly cherished ideals of the literature which we used to read in our youth;—"an English gentleman in America," as has also been said of George Washington, without prejudice to the



entire Americanism either of General Washington or of Colonel Lee. At the risk of being charged with triviality, it may be added that he was a very well-dressed man, being faultlessly neat, and not of the class of those who conceive that the descendant of a line of gentlemen gains thereby the privilege of being a sloven. In his costume he evinced his dramatic skill, for he appreciated his own appearance and character and may be said to have dressed his own part in life to perfection. Only in one respect was he ever false to the dramatic proprieties; by his personal appearance he should have been a prominent member of some congregation of High Church Episcopalians. But in excuse for this short-coming upon his part, it must be remembered that in his early days churches of this creed were as yet without the cachet of fashionable society in Boston, and with his family connections he could not be otherwise than a Unitarian. Indeed, with his humorous extravagance in statement, he used to allege that any New Englander who was not a Unitarian must have some defect in his intellectual make-up. He himself was a church-goer, and should be described as a devout man, at least as devotion goes among Unitarians, though he was very liberal in his ideas. In the early days when Ralph Waldo Emerson was still anathema for all Christians, scarcely excepting even advanced Unitarians, Mr. Lee was not afraid to be ranked among his admirers. It was also largely through his efforts that the use of the Music Hall was secured for Theodore Parker, when that quasi-divine was preaching on Sundays a sort of secular sermon which shocked the good Unitarians as much as their religious discourses shocked the good Orthodox. The story cannot now be recovered in exact form, but the substance was that the majority of the proprietors of the Hall, then newly constructed, was strongly opposed to this use of it. Prominent in this majority was Mr. Lee's own uncle, Mr. Thomas Lee; but by some skilful manoeuvre Mr. Lee, who owned only one share, brought it about that the minority conquered the majority; and thereafter the people of the "new light" gathered regularly on the sacred day to listen to the addresses of a very good and very eloquent man.

About two years before his death Colonel Lee retired from the firm of Lee, Higginson & Co. His last expression of interest in public affairs was in opposition to the war with poor

old Spain, which seemed to him needless, easily avoidable, and not much to the honor of a powerful nation. He fortunately escaped, in his declining days, any prolonged period of physical debility, and his intellectual faculties stayed by him to the end. He died on the twenty-fourth day of November, 1898. His funeral was from the stone church on the hill in Brookline, about a mile from his house, and a notable gathering of relatives and friends gave striking token of the affection and respect which he had justly inspired.

MEMOIR  
OF  
GEORGE FRISBIE HOAR.

BY NATHANIEL PAINE AND G. STANLEY HALL.

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IN preparing this memoir the committee to whom it was assigned have had in mind the fact that Senator Lodge has already made a communication to the Society in commemoration of Senator Hoar, and that his public career has been characterized by many of his colleagues in the special services held by the Senate of the United States and the House of Representatives, before the Massachusetts Legislature, and also in no less than forty-seven hundred editorials in as many American newspapers, which have been collected; therefore the committee will confine themselves for the most part to Mr. Hoar's private life as known to those who saw the most of him in and about Worcester.

George Frisbie Hoar was the son of Samuel and Sarah Sherman Hoar, and was born at Concord, Massachusetts, August 29, 1826. He graduated at Harvard University in the class of 1846, and in 1849 became a resident of Worcester. In his Autobiography he says: "I chose Worcester as a place to live in for the reason that that city and county were the strongholds of the new anti-slavery party, to which cause I was devoted with all my heart and soul." One of his first public speeches was at an anti-slavery meeting in the City Hall of Worcester, at which Judge Charles Allen presided. On coming to Worcester he became a member of the Worcester Bar, and three years later entered into partnership with Hon. Emory Washburn. Later he was a law partner of the late Attorney-General Devens and J. Henry Hill.

He very soon showed an interest in municipal affairs, and was twice nominated for Mayor of Worcester, but declined to accept the nomination. He took an active part in the politics

of the time, and for several years was chairman of the county committee. In 1852 he was elected a representative from Worcester to the General Court, was State Senator in 1857, and made chairman of the Judiciary Committee.

His fellow citizens highly appreciated his ability and statesmanlike qualities, and in 1868 made him a Member of Congress, where he served until the Massachusetts Legislature elected him to the United States Senate in 1877, of which body he was a member until his death, September 30, 1904.

Very soon after settling in Worcester he became interested in its literary and educational institutions, which interest he maintained until his death.

In August, 1852, he presided at a meeting of those interested in forming a society for the benefit of the young men of the city, which was organized under the name of "The Young Men's Library Association," and was a prominent factor in Worcester literary life for many years. Mr. Hoar was chosen vice-president of the new society, and from 1853 to 1856 was its president. In the latter year, this society was united with the Worcester Lyceum, an association founded in 1829 for the purpose of conducting a course of lectures during the winter months. He was president of the Library Association at the time the union was effected, and took great interest in its consummation. It was the Lyceum and Library Association that was largely instrumental in the establishment of the Free Public Library of Worcester. With his usual public spirit, Mr. Hoar started a subscription for the support of this library, and was a director from 1862 to 1867 and president in 1866-1867.

He was a member of the first board of directors of the "Free Institute of Industrial Science," now the Worcester Polytechnic Institute, and remained a member of the board of trustees until his death.

Though a young man, only twenty-seven years of age, his antiquarian and historical interests caused him to be elected a member of the American Antiquarian Society in 1853, of which he was president from 1884 to 1888, and vice-president from the latter date until his death. His voice was often heard at meetings of the society, and he prepared valuable historical and antiquarian papers which were published in the Proceedings. Representing the Antiquarian Society, he took an active part in 1896-1897 in the return to this country of the Bradford

manuscript, "The Log of the Mayflower." Among the papers presented by him were "President Garfield's New England Ancestry," in October, 1881; "Obligations of New England to the County of Kent," in April, 1885; and "The Connecticut Compromise," April, 1902. He retained his interest in the society until his death, and in his last illness expressed the hope that he might be able to prepare one more paper which he had in mind for its Proceedings.

He was chosen a member of the Massachusetts Historical Society in November, 1886, and was always interested in its objects, and attended meetings whenever his duties at Washington would permit. He often made remarks at the meetings, besides preparing special papers. One of the most important of these was on "Possible Changes in the Course of History." He also prepared a memoir of Judge Horace Gray, and in May, 1901, spoke at some length on the return of the Bradford manuscript.

Upon the incorporation of Clark University, in 1887, he was selected by the founder as one of the trustees, and was at once chosen vice-president of the board. Upon the death of the founder, he became president of the board, and held this office at the time of his death. It was through his instrumentality that Dr. G. Stanley Hall was selected as its president, and brought to Worcester from the Johns Hopkins University, where for eight years he had held a professorship.

Mr. Hoar always took a deep interest in the affairs of the University, to which he contributed a large number of books and pamphlets, and was an earnest advocate of the policy of advanced academic work and original research. Upon the death of the founder, he cheerfully assumed the chief burden of the very grave problem involved in his will. It was chiefly through his agency that the estate was finally settled in the interests of the University, — the will given a clear and legal interpretation according to the founder's purpose, — a collegiate department established, and the Hon. Carroll D. Wright brought from the head of the Labor Bureau at Washington to the presidency of the undergraduate department, in which Senator Hoar before his death took a very deep interest. His own addresses at the inauguration of President Hall in 1889, and of President Wright in 1902, will always be remembered for their earnestness and breadth of view by all who heard or

read them. Of all the institutions in Worcester that enjoyed the benefit of his counsels and his services, none has occasion to remember them with profounder gratitude than the University.

Mr. Hoar's scholarship and his literary abilities were recognized by several learned bodies. In 1873 the honorary degree of LL.D. was conferred upon him by William and Mary College, followed by the same degree from Amherst College in 1879, from Yale University in 1885, and from his Alma Mater, Harvard University, in 1886. Mr. Hoar was a member of the famous Saturday Club of Boston, having as his associates many eminent men like Agassiz, Emerson, Lowell, Longfellow, Prescott, Dana, and Adams.

In April, 1901, the Rufus Putnam Memorial Association was formed to purchase the homestead of General Putnam at Rutland, Massachusetts. Of the work done here, Senator Hoar was the moving spirit from its inception until his death. By his own exertions he obtained subscriptions sufficient to pay for the property, and made a large collection of colonial furniture, not only from this country, but from England, and personally conducted its installation in the various rooms of the old homestead. Thus this association, which indirectly grew out of Mr. Hoar's memorable address at Marietta, Ohio, commemorating General Putnam's great achievement of opening the Northwest, was entirely his work, and one of his favorite recreations the last few summers of his life was to make frequent visits to Rutland with companies of his friends.

In 1902, upon Mr. Hoar's initiative, the Worcester County Devens Statue Commission was incorporated, naming him as the first member of the commission, of which he remained chairman until his death. He took the liveliest interest in this object up to the time of his death, and in his last illness expressed regret that he could not live to see the statue completed and placed in position in front of the Worcester Court House.

One of Senator Hoar's marked traits of character was his passionate love of country life, and the great enjoyment he derived from drives and trolley rides with his friends to visit favorite points. Among these should be mentioned Asnebumskit Hill, which he purchased and which he frequently visited. This hill is the highest land in Worcester County, with the exception of Mount Wachusett and Little Wachusett, and it

commands a fine view of Worcester and the surrounding country. He purchased Asnebumskit, as he said, to own a part of the horizon. Another favorite excursion was to Redemption Rock in Westminster, upon which was placed a tablet with the inscription, "On this rock, May 2, 1676, was made the agreement for the ransom of Mrs. Mary Rowlandson of Lancaster between John Hoar of Concord and the Indians." He knew intimately all of even the out-of-the-way roads within convenient driving distance of Worcester, and of every township in the county and of many dwellings had interesting personal reminiscences.

His afternoon drives were to Rutland, Auburn, Sutton, Millbury, while the trolley rides of which he came to be very fond extended farther — to Spencer, Southbridge, Oxford, Clinton, Lancaster, and Marlboro. Occasionally longer excursions involving one or two nights spent away from home were taken with a chosen few. Concord, Lexington, Monadnock, Ashfield, and Deerfield were among these. He had been retained as counsel by nearly every town in the county, and as he grew old was fond of visiting graveyards and recalling those he had known. On his excursions he desired invariably to be host, and only occasionally by strategy were his friends enabled to bear their own share of the expenses. It seemed often a positive passion with him to do favors for, and even to give little pleasures to, his friends. To this end he often seemed to spare no pains, and gave great thought, and sometimes made preparations long in advance, to bestow a favor that would be most cherished.

To those who accompanied him in these frequent excursions, he was not only the most delightful companion, giving his marvellous conversational powers full sway, but he often seemed to enter into the enjoyment of the moment with an abandon that was a characteristic expression of the perennial youthfulness of his nature. Such excursions, too, were frequently an opportunity for discussing practical problems and doing committee work with others, and also of enlisting their interest in projects he had at heart. Up to within a few days of his final illness, he found great pleasure and recreation in such excursions, interspersed as they often were by colloquies with residents along the routes, all of whom he knew, and most of the older of whom knew him.

He often spoke of his finances and of his limited resources, and could not understand why men are often so secretive about their financial matters. He always made full and complete returns to the assessors, and declared that his best investments were made when he paid his taxes. He subscribed, and often with surprising generosity for a man of his means, to nearly every worthy cause that was presented. He made no charges for addresses or political speeches, and was content to have his travelling expenses paid, but often indifferent even about that.

His delight in country life and his enjoyment of nature, his rare fondness for birds, and, entirely unmusical as he was, his passion for listening to their singing, were very prominent traits of his character.

He was a great friend of children and young people, and often carried about quarters and half-dollars fresh from the mint to give to those he met.

His manner of life was very simple ; his love of literature of the best the English language afforded was a marked characteristic, and coupled with his love of nature made him a most genial companion, to which those who were honored with his friendship will bear witness. He was a great lover of books, and it was in his library that he most enjoyed himself, and where he spent many quiet and restful hours. He enjoyed showing his rare books to friends who were interested in them. In speaking of his way of living he once said, "I have been in my day an extravagant collector of books, and have a library which you would like to see and which I should like to show you." Many of the most valuable books are enriched by the addition of autograph letters of the authors, and in these he took especial pride. His familiarity with English literature and history made him at home in London in a way that often surprised his American fellow travellers.

A man of great ability, and one who received the highest honors from the State and nation, yet to the humblest of his friends he was on such good terms of fellowship that one could not but feel at ease in his company. With a delightful conversational power and a most remarkable memory that could at once call to mind words of wisdom or of humor from the best in English literature, his society was a pleasure and an inspiration to those privileged and honored by his friendship.



Owing to Senator Hoar's good taste and his choice command of good English, he was often called upon to furnish inscriptions for monuments and public places. For instance, when the new Court House in Worcester was built, he was called upon to furnish fitting lines to be placed over an arch in the main entrance, and he suggested the following, which was adopted: "Here speaketh the conscience of the State restraining the individual will."

The inscription on his father's monument in Sleepy Hollow Cemetery, Concord, Massachusetts, as furnished by Mr. Hoar, is: —

"He was long one of the most eminent lawyers and best beloved citizens of Massachusetts. A safe counsellor and kind neighbor, a Christian gentleman. He had a dignity that commanded the respect, and a sweetness and modesty that won the affection of all men. He practised an economy that never wasted, and a liberality that never spared. Of proved capacity for the highest offices, he never avoided obscure duties. He never sought station or eminence, and never shrank from positions of danger or obloquy. His days were made happy by public esteem and private affection. To the last moment of his long life he preserved his clear intellect unimpaired, and fully conscious of its approach met death with the perfect assurance of immortal life."

Another, upon John Prescott, is as follows: —

"Here with his children about him lies John Prescott, founder of Lancaster and first settler of Worcester County. Born at Standish, Lancashire, England; died at Lancaster, Massachusetts, Dec. 1681. Inspired by the love of liberty and the fear of God, this stout-hearted pioneer, forsaking the pleasant vales of England, took up his abode in the unbroken forest and encountered wild beast and savage to secure freedom for himself and his posterity. His faith and virtues have been inherited by many descendants who in every generation have well served the State in war, in literature, at the bar, in the pulpit, in public life, and in Christian homes."

It has been sometimes said that Senator Hoar's services in Congress were not of a practical nature. As an illustration of his ability and efficiency in bringing forward practical questions for the consideration of Congress, we append the following list of bills which he drafted and of which he secured the passage in Congress, with a reference to other official services rendered by him: —

Presidential Succession Bill.

National Bankruptcy Bill.

Electoral Commission Bill and Service on Commission.

Bill for Settlement of Southern Claims. Ten years' service on such committee.

Bills for relief of Southern Colleges and for losses during Civil War.

Chairman Judiciary Committee for fourteen years. Every bill passed by Congress examined and approved by him during that time.

Author of so-called Sherman Trust Bill.

Author of Bureau Education Bill.

Author of Eads Jetty Bill.

Bill Limiting the Franchise in the Philippine Islands by which great frauds were defeated.

Bill for Relief of Educational Institutions from tax of 15 % on legacy.

Secured repeal Civil Tenure Bill.

Bill establishing salaries of U. S. Judiciary.

Other evidence might be added, if necessary, that he was often of assistance to others in preparing important bills.

For many years several of the ablest American newspapers were frequently outspoken in their criticism of his public acts. One of the remarkable incidents in the period following his death is the fact that journals like the Chicago Tribune, the New York Evening Post, the Springfield Republican, and the Boston Herald seemed to vie with each other in glorifying his memory. Says the former, August 19:—

“To-day, as in the past, calumny loves to besmirch the reputations of public men. Senator Hoar is one of those she has never dared to attack. No one has ever ventured even to insinuate a suspicion of his integrity or sincerity. Public life has not been a mine of wealth for him. As he said a year ago, if he had never entered it and had kept to his profession, he would have been well off, instead of having only a trifle to leave his heirs. But when he bids farewell to earth, he will leave a possession which the gold of all the multi-millionaires cannot buy,—the fame of having served his country long and well, of having taken his moral principles into politics with him to guide his course, of having been true to his ideals, no matter what the odds were against him, and of having stood up bravely to rebuke the party he loved when he thought it was in the wrong.”

Mr. Hoar was a religious man, very broad and liberal in his views, and tolerant of the religious views of others. One of

his utterances, which may well be quoted here, was this: "I have no faith in fatalism, in destiny, in blind force. I believe in God, the living God, in the American people who do not bow the neck or bend the knee to any other, and who desire no other to bow the neck or bend the knee to them. I believe, finally, that whatever clouds may darken the horizon, the world is growing better, that to-day is better than yesterday, and to-morrow will be better than to-day." He was a regular attendant at church, and had very strong convictions as to the duty and necessity of it. In one of his published addresses he said: "There is, in my judgment, no more commanding public duty than attendance at church on Sunday. . . . Let there be one place and one hour devoted to quiet, from which the world is shut out, as it is shut out on a long voyage at sea."

The two religious doctrines to which he held almost passionately were the belief in God and in a future life. Many times on excursions with his friends, especially in his later years, he would revert to these topics, ask their opinions, and usually in the end express his own with very great positiveness. These appeared to be the fundamental articles of his creed, and it was hard for him to see how any one could in any degree doubt them.

Bravely as he used to say that he did not fear growing old, he had not taken into account the loss of relatives and friends by death and its consequent loneliness. In an address given several years ago before a society of gentlemen at Worcester, he said: —

"The greatest penalty of growing old is the loss of the friends of youth. Dying to a brave man, certainly to a brave old man, is in the death of others, not in his own. It is this which alike gives age its terror, and is the chief reconciler and consoler as the end of life comes on. When the voices that were its music are silent, it's well that the ears grow dumb. When the faces which were their delight have vanished, it is well that the eyes grow dim. In some rare examples of old men, too, this is largely compensated by that which, except health of body and mind, is the best gift of God to man, — a large capacity for friendship, which takes in and welcomes the new generations as they come."<sup>1</sup>

<sup>1</sup> From a centennial address entitled "Old Age and Immortality," before the Worcester Fire Society, January 21, 1893.

Senator Gorman, of Maryland, in his eulogy of Mr. Hoar, says : —

“ He was a partisan without rancor, an antagonist without bitterness, a friend without reservation and conditions, a conqueror without vengeance, a loser without resentment.”

Senator Lodge's resolution contains the following : —

“ His life was given to the service of his country and of his fellow-men. For forty years he was one of those who guided and watched over the fortunes of the republic. His achievements are written in the history of the United States. Patriot and statesman, orator and scholar, a lawyer, a jurist, and a great senator and leader of men. . . . His abilities were commanding, his ideals noble, his conduct of life followed the loftiest standards. Pure of heart, stainless in honor, tender in his affections, fearless and unswerving in the path of duty, unfaltering in his loyalty to friends and to country, his life will be an example and an inspiration to the generations yet to be. He has died at the summit of his great career. He met death with the serene courage which had never failed him in the trials of life, surrounded by all that should accompany old age, — honor, love, obedience, troops of friends. So he passed over, and all the trumpets sounded on the other side.”





*John S. Bragdon.*





*John L. Bragdon.*







*John S. Bragdon.*

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1. *Journal of the American Medical Association*, 1990; 263: 1033-1036.



*John P. Brayton.*



After graduation Mr. Brayton studied law in the office of Thomas D. Eliot of New Bedford, and subsequently finished his legal education in the Dane Law School of Harvard College. He was admitted to the Suffolk County Bar, August 8, 1853, entering at once upon the practice of law in Fall River. For fifteen years he followed his chosen profession, gaining the confidence of his fellow-citizens and of the business community.

He acted as the first City Solicitor of Fall River in 1854, and continued to hold the office until 1857, when he resigned. In 1856 he represented the city in the General Court. In 1857 he was elected as the Clerk of the Courts of Bristol, receiving a nomination from both parties and the unanimous endorsement of the Bar of the County. He continued to act as Clerk of the Courts for seven years, declining a re-election in 1864. He then resumed the general practice of law, forming a partnership with James M. Morton, now one of the Justices of the Supreme Judicial Court.

Mr. Brayton during all his life took an intelligent interest in political matters, being a loyal republican from the foundation of the party. He served as a member of the Governor's Council in 1866, 1867, 1868, 1879, and 1880, under Governor Bullock, Governor Talbot, and Governor Long.

It was, however, not through the exercise of his profession of law or through his faithful service as a public officer, but through the marvellously successful administration of large business interests intimately connected with the prosperity and advance of his home city, that he became pre-eminently the leading man of his locality and the pivotal figure in Fall River's financial and industrial history.

In 1868 Mr. Brayton formally withdrew from the practice of his profession, and entered upon the full management of the large estate of his sister, the widow of Bradford Durfee, one of the leading business men of Fall River, who had contributed largely to the development of his native city, accumulating a large property which was actively employed in various local industrial enterprises. To the faithful and conscientious administration of this large property, and of the almost numberless industrial enterprises which an ever-increasing wealth brought under his supervision, he devoted the remainder of his life. A partial list of the executive offices which he

filled, not perfunctorily but with intense and conscientious fidelity, gives some idea of his pre-eminent ability as a business man.

In 1864 Mr Brayton organized the First National Bank, serving as its active president until his death. In 1887 the B. M. C. Durfee Safe Deposit and Trust Company was organized, and Mr. Brayton became its president and continued to act as such until his death. In 1865, with his brother and nephew, he built the large Durfee Mills, and from 1872 until his death acted as president of the corporation. At the time of his death, and for many years prior thereto, he was the president of the American Linen Company, the Fall River Manufactory, the Granite, Mechanics, Border City, and Troy Mills, and a director in many other Fall River corporations, as well as in the Old Colony Railroad and the Old Colony Steamboat Company.

At an earlier date he was largely interested in an executive capacity with the American Print Works and the Fall River Iron Works, with their numerous contributory and allied interests, and also served as the president of the Fall River Machine Company, the Metacomet Mills, the Anawan Mills, and the Fall River Gas Works Company.

By temperament and habit Mr. Brayton was conservative in business affairs. In originating new enterprises he was extremely cautious to inquire with much painstaking interest as to their probable outcome before he ventured to enter upon them. In any business in which he was concerned he always looked after details, not through distrust of the officials in charge, but because he desired conscientiously to inform himself, and to be able when necessary to give the deciding word. Cautious and painstaking as he was, he was none the less broad-minded and considerate. With wealth beyond that of his fellow-citizens, he was always unostentatious and unobtrusive, scrupulously upright, public-spirited, philanthropic, and generous not only in gifts for the promotion of the public welfare but no less so in multiplied benevolence of a private nature. At the time when the fortunes of Fall River were under a cloud and the outlook was dark, and many men of less resources were forced to extremes in order to tide over seemingly unsurmountable difficulties, Mr. Brayton, notwithstanding his extreme conservatism and hesitancy to assume risks,

none the less by the careful use of the vast resources which he controlled, came to the rescue.

His business cares, however, did not diminish his sympathy with the higher forms of human culture, nor prevent him from engaging in philanthropic, literary, and historical activities. Especially deep was his interest in the educational welfare of his home city and in the larger educational interests of the country. To the construction of a magnificent High School building which his sister gave to the city of Fall River in memory of her son Bradford M. C. Durfee, he gave unremitting and careful supervision for several years, continuing his personal interest and oversight of the development of the school during his life, and helping many deserving young men to the means which would enable them to obtain a higher education.

In 1898 his Alma Mater conferred upon him the degree of Doctor of Laws, and from 1898 until his death he was a Fellow of Brown University. For eighteen years (1882-1900) he was also a Trustee of Amherst College.

Descended from Methodist stock, his religious life was for the most part identified with the Congregational faith, yet his benefactions to religious and philanthropic institutions were not limited by denominational lines, being inspired with a broad and intelligent perception of the good in all sincere effort directed to the uplifting of humanity. He was a liberal supporter of many weak churches, both at home and in distant places. Especially to the hospital of his home city which in 1885 he assisted in founding and of which he was president, did he furnish liberal support and personal service.

Mr. Brayton's interest in local history was one of the main delights of his leisure time. He cultivated this taste in every possible way, and was recognized as the most trustworthy historian of the locality in which his life was spent. The personality of public men intensely interested him; and one of his hobbies was the keeping of a record book, always at hand, in which he recorded the birth years of hundreds of men in public life, and also of friends and men of local prominence.

He had an acquaintance with the antiquities of southeastern Massachusetts and Rhode Island probably beyond that of any other individual, and delighted in discovering hidden matters of interest connected with the early history of New



England. He was often called upon to deliver historical addresses; and the substantial contributions to historical information which he thus made deserve preservation in permanent form.

Mr. Brayton was president of the Old Colony Historical Society, and a member of the New-England Historic Genealogical Society, of the Rhode Island Historical Society, and of the Massachusetts Historical Society, being elected a member of the latter in 1898.

Mr. Brayton married, November 27, 1855, Sarah Jane Tinkham, daughter of Enoch and Rebecca (Williams) Tinkham, of Middleboro, who survives him. Three children of this marriage also survive: John Summerfield Brayton, Jr., of Fall River; Mary Brayton Nichols, wife of Dr. Charles L. Nichols, of Worcester; and Harriet H. Brayton, of Fall River.

## MAY MEETING, 1905.

THE stated meeting was held on Thursday, the 11th instant, at three o'clock, P. M.; the President, CHARLES FRANCIS ADAMS, LL.D., in the chair.

The record of the Annual Meeting was read and approved; and the Librarian read the list of donors to the Library during the past month. Among the books was the first volume of the very thorough and elaborate "History of the United States" which has been long in preparation by a Resident Member, Mr. Edward Channing, Professor of History in Harvard University. The Librarian presented, in the name of Mr. Sidney L. Smith, of Boston, a copy of the large portrait of Charles W. Eliot, LL.D., recently engraved by him.

Mr. Bliss Perry, editor of the "Atlantic Monthly," was elected a Resident Member; and M. Gabriel Hanotaux, of Paris, France, was elected a Corresponding Member.

Messrs. Edward J. Young, Alexander McKenzie, and Charles C. Smith were appointed a Committee to publish the Proceedings for the current year.

Messrs. Thornton K. Lothrop, S. Lothrop Thorndike, and Charles C. Smith were appointed a House Committee.

Messrs. Albert B. Hart and Roger B. Merriman were appointed a Committee to superintend the preparation of a Consolidated Index to the Second Series of the Proceedings.

On motion of the Treasurer it was

*Voted*, That the income of the Massachusetts Historical Trust-Fund for the last financial year be retained in the Treasury, to be applied to such purposes as the Council may direct.

THE PRESIDENT said that, while the ballots were in progress, and before communications from the regular section of the day were called for, certain matters could be disposed of.

He would, in the first place, call attention to an impression of the steel plate engraving from Marshall Johnson's painting

of the "Mayflower" which had recently been executed by John A. Lowell & Co. The painting was from the model of the "Mayflower" made by Captain J. W. Collins by order of the United States government, and now in the National Museum at Washington. At the time subscriptions for the engraving were invited, the President said he had put his name down for two copies, one a signed artist proof, with the Society in mind. He now presented it. The picture may claim to be a very correct and lifelike representation of the original "Mayflower," as she probably appeared when under full sail. As an engraving, the work must speak for itself; but it seemed eminently proper a copy should be in the possession of the Society.

Returning from a four months' absence, mainly in Africa, among a large accumulated mass of manuscript and printed matter, of greater or less value, — generally of less, — he had found three pamphlets of interest, which he desired to add to the collections of the Society; and, in so doing, he wished to make such mention of them as would insure a reference in the Index to the Proceedings. These pamphlets could thus, and thus only, have a chance of coming to the notice of investigators and students.

The first of the three was a paper by Albert Matthews, — a reprint from the New-England Historical and Genealogical Register of April, 1905, entitled "The Naming of Hull." The reference, of course, was to the town of Hull, in Massachusetts. This pamphlet, the President remarked, was of peculiar interest to him personally, inasmuch as it was directed to the correction of an error into which he had apparently fallen in editing, for the Prince Society, Thomas Morton's "New English Canaan." He there came across the statement that "Mr. Wethercock, a proper Mariner," and the commander of one of the ships which came to Boston in 1630, for certain reasons "was resolved to lie at Hull." He inferred, and so said, that the reference was to the locality at the mouth of Boston harbor then generally known as Nantaskot, but, in 1644, called Hull. Mr. Matthews, in this paper, maintains that "to lie at hull" was a seventeenth-century nautical term, signifying simply lying with no sail set. Morton accordingly, in making use of the term, did not mean to imply that the person he calls "Mr. Wethercock" anchored at

Hull, but merely that he, for certain reasons, laid-to his ship,— thought best “to beare no saile.”

Mr. Matthews supports this contention by an array of references and quotations which prove clearly that I here fell into an editorial error. I will frankly confess that, until I read Mr. Matthews's pamphlet, I was not aware that any such expression as “lying at hull,” equivalent to “lying at anchor,” or “lying-to,” had ever been in use. Nevertheless, it is obvious such is the fact; and, moreover, though now obsolete, it was, as a form of nautical speech, in common use when Morton wrote.

Compelled to acknowledge both my ignorance and my error, I wish to put the correct reading on record,— a warning and example for all future editors. In so doing I have nothing to say in extenuation. In my over-confidence substituting a capital, I printed the word “Hull”; whereas, in the text of the copy of the “New English Canaan” from which I edited, it appeared correctly, “hull.”

Nevertheless, I am still strongly inclined to think that the inference I drew in the note to the Prince Society edition of the “New English Canaan” (p. 337) was correct,— that the locality since 1644 legally called Hull, at the entrance to Boston harbor, was generally known by mariners by the name it now bears long before it was so ordered by the General Court, May 29, 1644, “that Nantaskot shall be called Hull.” My reason for so thinking is that very many of the islands, promontories, etc., in and about Boston bay bore the names by which they have since been known years before Winthrop's arrival and the definitive settlement. For instance, Squantum was so named by Standish on his first trip of exploration, in September, 1621. The Farm School Island, directly opposite, was then called the Island Trevore, and subsequently Thompson's Island, the name it still bears. The Brewsters and Point Allerton were likewise so named at that time. Peddock's Island, directly opposite Hull, is so designated by Morton; as also is Nut Island. Mount Wollaston got that name as early as 1625. This list might be considerably extended, but the foregoing will suffice for examples. My own belief is that the water inside Nantaskot, or Nantasket beach,— which, by the way, is another case in point,— was a favorite anchoring-ground for the vessels which every season frequented the bay

during the years preceding the settlement. The mariners visiting the coast were in the custom of there lying at hull, or lying at anchor. My theory is that the point became, therefore, known in common speech as Hull, or the anchorage ground, and subsequently the name was formally given to it. I must add, however, that I cannot adduce any direct evidence in support of this theory.

Mr. Matthews also calls attention to another fact in connection with the "New English Canaan" which had escaped my knowledge. He says, truly enough, that Morton is "nothing if not fanciful in the names he employs." In my notes to the "New English Canaan" I made no attempt to identify "Mr. Wethercock." Mr. Matthews now shows that by "Wethercock" was designated John Grant, the master of the ship "Handmaid," more than once referred to by Winthrop.

The next of the three pamphlets is a copy of the Annual Address before the Clinton (Massachusetts) Historical Society, by Jonathan Smith, the President of the Society, delivered September 14, 1903, entitled "Some Features of Shays's Rebellion." I regard this as a valuable and suggestive contribution to Massachusetts historical lore. More than one account of Shays's Rebellion has been written, especially that by Minot. But in all these accounts, so far as I know, that episode has been treated in the most superficial manner. No attempt has been made to go below the surface, and show what were the causes of the great unrest which then prevailed. The subject has been somewhat dealt with by our associate, Mr. Noble, and the material he found in the Suffolk County Court Records bearing upon the underlying causes of the uprising was developed in a paper read before the American Antiquarian Society at its October meeting, 1902, and printed in Vol. XV. of the New Series of the publications of that society. I chanced to be present at the meeting in question, and then ventured some remarks in connection with Mr. Noble's paper. To those remarks I would now refer.<sup>1</sup> I again had occasion to touch upon this matter in a note to the Newburyport diary of John Quincy Adams,<sup>2</sup> in which more than one reference appears to Shays and his followers. I then called attention to the ex-

<sup>1</sup> Proceedings of the American Antiquarian Society, at the annual meeting held in Worcester, October 21, 1902, New Series, vol. xv. pp. 114-120.

<sup>2</sup> 2 Proceedings (November, 1902), vol. xvi. p. 342 n.

treme popular odium into which the legal profession had fallen in connection with the great distress which prevailed throughout Massachusetts and New England as a consequence of the War of Independence. Mr. Smith, in the pamphlet a copy of which I now submit, takes, as the result of a very thorough investigation of the court records, etc., the view of Shays's insurrection which I believe to be the correct one. I wish to call attention to his paper as of real historical value.

The third of these pamphlets is one by Robert Bingham, master of the Bingham School, Ashville, North Carolina, entitled "Sectional Misunderstandings," being a reprint of an article in the "North American Review" for September, 1904, with material added.

This pamphlet also has, in my judgment, a distinct and permanent historical value. The Society may remember that, two years ago, at the February meeting, I submitted, with some preliminary remarks, a copy of an address I had recently delivered before the New England Society of Charleston, South Carolina, entitled "The Constitutional Ethics of Secession."<sup>1</sup> In a note to this address I called attention to the fact that the right of secession had been clearly set forth by William Rawle, in his publication (1825) entitled "View of the Constitution."<sup>2</sup> This treatise was a text-book used at West Point Military Academy at the time Robert E. Lee, Joseph E. Johnston, and other Confederate leaders were cadets there. The fact that it was so used, asserted by me, is now clearly established by Mr. Bingham. The genesis of the opposite theory — that is, the contention of our associate, Governor Chamberlain,<sup>3</sup> that the constitutional right of secession not only never existed, but was never claimed to exist until a comparatively recent period — is still worthy of study. There can be no doubt that the power of practical nullification was claimed by Mr. Webster as late as 1813.<sup>4</sup> There is equally no doubt that the right of any State to secede from the Union was asserted as a matter that did not admit of denial by William Rawle in 1825. The right of nullification, as we all know, was subsequently not only claimed, but put in practice by

<sup>1</sup> 2 Proceedings, vol. xvii. pp. 90-116.

<sup>2</sup> *Ibid.*, p. 106.

<sup>3</sup> *Ibid.*, vol. xvi. pp. 151-173.

<sup>4</sup> *Ibid.*, vol. xvii. p. 111 n.; Van Tyne, *The Letters of Daniel Webster*, p. 67.

South Carolina in November, 1832. The counter doctrine found its first emphatic expression in Webster's reply to Hayne, made in 1830; and, finally, was elaborated by Story in his "Commentaries on the Constitution," published in 1833. The position taken by Rawle was therein specifically and emphatically controverted, and the more recent constitutional view of Webster developed. Nevertheless, some days since, in re-reading Mr. Morley's "Life of Cobden," I came across this very interesting extract from a letter of Richard Cobden's to W. Hargreaves, Esq., under date of June 22, 1861, the first summer of our Civil War. It is entitled "Tocqueville on the Right of Secession," and reads as follows:—

"I am glad to see that as yet there is no serious fighting in America. Until there has been a bloody collision, one may hope there will be none. I have been reading Tocqueville's 'Democracy in America.' In his chapter on the influence of slavery his sagacity is, as it frequently is, quite prophetic. He seems to regard it as the chief danger to the Union, less from the rival interests it creates, than from the incompatibility of manners which it produces. It is singular, too, that he takes the Southern view of the right of secession. He says, 'The Union was formed by the voluntary agreement of the States; and in uniting together they have not forfeited their nationality, nor have they been reduced to one and the same people. If one of the States chose to withdraw its name from the contract, it would be difficult to disprove its right of doing so; and the Federal Government would have no means of maintaining its claims either by force or by right.' He then goes on to argue that among the States united by the Federal tie there may be some which have a great interest in maintaining the Union on which their prosperity depends; and he then remarks—'Great things may then be done in the name of the Federal Government, but in reality that Government will have ceased to exist.' Has he not accurately anticipated both the fact and the motive of the present attitude of the State of New York? Is it not commercial gain and mercantile ascendancy which prompt their warlike zeal for the Federal Government? At all events, it is a little unreasonable in the New York politicians to require us to treat the South as rebels, in the face of the opinion of our highest European authority as to the right of secession."<sup>1</sup>

It is perfectly true that neither Tocqueville nor Cobden was an authority on questions of law, or construction, arising under the Constitution of the United States. Nevertheless,

<sup>1</sup> Morley, *Life of Richard Cobden* (ed. 1881), vol. ii. pp. 385, 386.

Tocqueville unquestionably was an authority of the first order as respects any general understanding as to the construction of that Constitution prevailing at the period he wrote. Therefore, when Tocqueville says, as he does in the extract I have quoted, that the Union was formed by voluntary agreement of the States, and that, in forming this agreement, they none of them forfeited their nationality, and that, if one of the States withdrew its name from the contract, it would be difficult to disprove its right so to do, it is clear Tocqueville expressed an opinion then generally entertained. Tocqueville, it will be remembered, wrote in 1835-40, several years after the Nullification Act of South Carolina, and after Story published his "Commentaries." The statement of so eminent a foreign authority on this extremely interesting point cannot well be ignored. He was a thoughtful and correct observer. I am glad to add this citation to those I collected and made part of my Charleston Address of 1903.

Mr. WILLIAM R. THAYER read the following paper: —

*The Outlook in History.*

What is History? The thing we know; the definition baffles us. But what is Truth—or Beauty—or Poetry? The wisest have not yet agreed on a formula for any one of them; nor is this strange: for Poetry and Beauty, History and Truth, spring from the unfathomed sources of life, from the mystery which, although it be for each of us the only vital reality, eludes all our research. But as we manage to live without solving the riddle,—indeed, the acceptance of its insolubility seems to be the only solution,—so we waive a final definition of History, and go on to consider some of its aspects.

The present time is particularly favorable for a survey, because we have apparently reached a point where historians pursuing different aims are producing side by side, in mutual tolerance, if not in mutual respect. This is a hopeful sign. Progress requires variation; orthodoxy leads to bigotry, persecution, paralysis.

The modern scientific method of studying history has now been practised in France, England, and America for more than a generation, and in Germany for two or three decades longer. It has passed beyond the tentative stage, survived



ridicule and opposition, and risen to acknowledged supremacy. In its complete triumph there was danger that it might become a fetish. But now we begin to see that every method is merely a tool, and that the product of the tool depends on the skill of its user. No refinement of mechanism can take the place of human insight and character. The results of a victory won by an army equipped with rapid-fire, long-range guns may sink into insignificance compared with what Norman William's crossbows achieved at Hastings, or Washington's flintlocks won at Yorktown. So neither Justin Winsor nor Mandell Creighton, enjoying to the full the advantages of the modern method, ranks with Thucydides or Tacitus, or with many lesser men, who flourished in the "unscientific" ages. Something more than a system goes to the making of great histories. This recognition of personality as the cornerstone on which everything human rests is the beginning of wisdom.

German historical students, under Ranke's lead, had firmly established themselves in the scientific method, when the general adoption of the doctrine of evolution forced historians everywhere to take a new point of view. To trace causes and effects had long been their purpose; now they saw that the principle of growth, or development, was itself the very rudder of causation. They proceeded to rearrange their material, and to rewrite the story of every nation, institution, art, and science according to this principle. No other formula has been so fruitful, or so universally applicable; nor do we now see how it can be superseded.

To historians especially, the doctrine of development came as a revelation, which made the work of their pre-Darwinian forerunners appear as obsolete as the ancient religions appeared to the first Christians. They felt the delight which thrills those who exercise a new faculty; say, rather, the exaltation of those who dedicate themselves to a new crusade for Truth. As always happens in such cases, they strove by every means to magnify the difference between the New and the Old; as if the New were wholly right, and the Old wholly wrong. This is a wise instinct; for only when a novel doctrine or cult is pushed to its extreme can we measure its intrinsic value, and determine how much of its apparent strength is due to mere reaction or contrast.

We now look back on the products of forty years of the modern historical school. Comparing them with the great works of the past, two facts strike us at once: There has been a gain in method, and a loss in literary quality. The gain in method shows itself chiefly in accuracy and in a studied impartiality: the loss in literary quality can be verified by tasting an average historical monograph. The scientific historian had formerly the same feeling toward the literary historian as the early Christians had toward the culture of Greece and Rome: believing that they themselves possessed the true gospel, they wished to show their orthodoxy by being as different as possible from the pagans. History had come to be regarded as literature, they would leave no room for doubt that they regarded it as science. In the scientific world the view prevailed — and it has not wholly disappeared — that to write intelligibly is suspicious, while to write “popularly” is suicidal; and this, despite the fact that Darwin, Huxley, Tyndall, and Mill — the most illustrious men of science of their generation — had set a noble example in clear expression.

Historical students shared this distrust of literary form, and as their investigations followed the scientific pattern, their reports naturally took the shape of the scientific treatise. Several causes have contributed to make the scientific treatise what it is. First of all, it is usually written by an investigator or observer who has no aptitude for expression, — for the highest powers of observation do not necessarily go with even ordinary capacity for expression. Next, the immense numbers of facts and processes discovered by Science during the past half-century have required the invention of thousands of new terms, until each science has a special dialect, which is often as hopeless for literary purposes as is algebraic notation. No wonder that men whose minds swarm with awkward vocabularies, — formed, by a cruel irony, from mongrel combinations of the most beautiful of languages (as if the Apollo Belvedere were ground into powder to make stucco), — no wonder that they distrust those who show ability to use the mother-tongue, which tends in a way to become foreign to them. Scientific men also scorned to suit their language to any persons except their fellow initiates, thereby illustrating that tendency to exclusiveness which appears in freemasonry, college secret societies, and sectarian mysteries.

Nor must we overlook another very powerful influence. Throughout most of the nineteenth century the Germans set the standard of scholarship. The world has never seen other diggers so tireless, so patient, so zealous. They have made their minds, as instruments of observation, almost as precise and impersonal as a microscope. They accumulate facts by the million; they would cross the ocean to certify a comma. Through their devotion to truth, through their rugged honesty, they have worthily represented the great German race, which lags, on the political side, so far behind its ideals. But to their scholarship, power of expression has been, it seems, denied. They have had to struggle against not only the difficulties inherent in the creation of new sciences and in the accumulation of knowledge, but also against the refractoriness of their speech. If a language be the expression of a nation's habitual mental processes, German prose bears witness to a race which has had the habit of thinking widely and deeply, but not clearly. A German's statement may be compared to a charge of birdshot, which scatters, and in scattering may hit the target, and much else besides; while a Frenchman's statement, like the ball of the sharpshooter, goes straight to the bull's-eye.

All these various influences — the scientific method, literary inexperience, contempt for unprofessional criticism, devotion to the new gospel, and zealous imitation of the German model — helped to establish the idea that history must be unliterary if it would guard its reputation for authority. The German practice of publishing doctors' dissertations contributed further to encourage the belief that historical composition meant merely the pitchforking together of the results of special investigation. These results were often valuable, but who could expect that young men of twenty-four or twenty-five, who had given little or no heed to the manner of presentation, should write well? And having found that that sort of thing sufficed, they naturally were at no pains to improve on it in their later work. Nothing is more dangerous for a young man of ability than to suppose that the standard by which he wins his first academic success is final. For a good many years, much of the historical work produced in England and America smacked of the average doctor's dissertation. Since the study and writing of history seem to be coming more and

more to be restricted to university teachers, it is most important that they should look jealously to the manner as well as to the matter of their candidates' work: for in fifteen or twenty years these candidates will themselves be the arbiters of historic production.

The opinion which many upheld that history is a science increased their desire to make it resemble the sciences in all respects. The question, Is history a science? round which much controversy has raged, is not yet settled; but it apparently has reduced itself to a dispute over terms. The confusion arises from assuming that a subject becomes a science when it is studied by the scientific method. But before history can be a science, men must possess the gift of prophecy. Your chemist or physicist deals with forces and elements which are absolutely determinable at all times and places and under all conditions. Water will be composed of two molecules of hydrogen and one of oxygen until the earth drops into the sun. But the historian has to do with a chain of causation in which the chief elements—the human Will and Chance—are absolutely incomputable. Will remains a mystery. We cannot predict when it will manifest itself in individuals or in multitudes, nor can we set any limits to its activity. And so with Chance. After the event, it may be possible to trace the steps that led to it, but until it happens, no one suspects that it is near. Five minutes before Lincoln was shot, who dreamt of the calamity which was to shatter Reconstruction and alter the course of American history? Cavour dies, after a brief illness, and the unification of Italy is permanently turned awry. Thus Chance mocks us.

Our knowledge of all past history does not enable us to foresee what to-morrow will bring forth. We can generalize; and many a historian mistakes his generalizations for laws, but they may fit no special event. Now the special events, due to the human Will or to Chance, make up history. Although you may have studied every recorded revolution, yet you cannot foretell what peculiar turn the next outbreak in Paris may take from hour to hour: for you cannot know beforehand how the persons concerned in any affair may react on each other or on the masses; much less can you predict what Chance may bring about. It would be idle to call arithmetic a science if twice two were three yesterday, four to-day, and possibly five or

seven to-morrow. Yet similar variations are the staple of history. In human affairs, not less than in chemistry, given conditions would produce similar results, if you could get exactly the same personal ingredients. But this is impossible. Suppose Mirabeau had not died in 1791, — suppose Robespierre had been assassinated in 1792, — suppose a stray bullet had killed young Bonaparte at Toulon, — how would the course of events have been changed! Yet if the study of history were a science, it would convince us that Mirabeau's death was inevitable, and that Robespierre and Bonaparte in the very nature of things could not die in 1792. Manifestly, historians would be clairvoyants, as familiar with the future as with the past, the chosen confidants of Fate or Providence, if they could make any such assertions. We can say that Bonaparte did not die in 1792, but to affirm that he could not possibly have died would be absurd. Yet until history can demonstrate the *possible* as clearly as the *actual*, it will never be a valid science.

This does not, however, diminish its supreme importance, nor dull its interest; on the contrary, the uncertainty enhances both. We are not to infer that life is lawless, because we lack the gift of prophecy. Will, too, has its laws, although we cannot codify them. The historian's business is to trace the sequence of cause and effect so that every event, every deed, shall appear inevitable. If he succeed in doing that, he should rest content, and let teleology alone.

Were it not for Will, with its incomputable variations, mankind would be a sentient machine, and history would simply register the motions of automata. The consciousness of moral freedom alone gives dignity, charm, and significance to life. Although the fatalist may argue that this consciousness is a delusion we are fated to be the dupes of, the practical man will accept at its full value the most genuine of his experiences. Accordingly, the historian must write as if he were an eyewitness of the events he describes, so as to reproduce the plasticity, the uncertainty, the impression of a state of flux, which belong to the passing moment. Like the dramatist, he knows from the first scene the catastrophe of the last, but, instead of telling the secret, he lets the plot unfold itself, as if it were being lived out by the persons in the play. This quality, one of the rarest, if it be not the

very crown, of the historian's equipment, gives not merely the certitude of veracity, but of lifelikeness, which is the final test in reconstructing the past.

So far as the historian treats his subject in this fashion, he allows full scope to the free play of will; yet, as he really is not a contemporary, but a retrospective observer, he can also trace each link in the chain of causation and show its fatal or inevitable nature. In other words, he treats the Past as if it were Present, in his efforts to bring it to life, and he treats it as Past, in his efforts to rationalize and interpret it. So he is at once a Dramatist and a Philosopher. Needless to say, few historians possess these gifts in equal proportion, while many rouse in us the suspicion that they have never conceived of the Past as having been once Present and alive. They regard human beings as abstractions, or as dummies on which to drape their theories. In striving to eliminate the personal equation, which has an inconvenient habit of upsetting theories, they become impersonal: but as Personality is the very stuff out of which human life and history are made, the more they get rid of it, the farther they remove from reality. In a perfect history we should have, as in *Hamlet* or *Othello*, the motives, the strokes of chance, and the resultant action, so revealed that one might read it for its plot, another for its information, a third for its philosophical bearing: for it would mirror the universality of human experience.

An immediate result of the acceptance of evolution was the spread of fatalism. Science could finally demonstrate that rigid laws govern the material universe, including the bodies of men. By implication, man's will and spirit were equally fate-bound. Historians, imbued with this conviction, naturally ignored the individual, and devoted themselves to tracing the operation of laws in the development of nations and institutions. Great men seemed to them "negligible" quantities. Slowly, however, a change has come about. Recognition of the omnipresence of law has not lessened, but there has grown up what I may call a common-sense view of human freedom. The will is recognized as a force so mysterious and unpredictable that, though it doubtless obeys laws which we have not yet defined, still, for practical purposes, we must regard it as free. So Personality is coming again into the foreground of history. This involves a radical change in treatment, for per-

sons have to be described as alive and concrete, with individual flavor and surprises, and not as abstract and mechanical.

By another natural process, history has come back to literature. The assumption that the historical monograph, being a "scientific" product, might be put together regardless of form, has been fully tested, and has broken down. The analogy between the historical and the scientific monograph proves to be illusory. The biologist, or other pure scientist, must use the dialect of his science in order to be understood by his special tribe: nay, he may dispense with language altogether, and employ diagrams, symbols, and formulas. But the historian's theme is intensely human, and demands to be expressed in human terms. He is concerned with narration, exposition, description, argument, all of which are governed by literary laws to which he must conform. He may protest that he is "scientific," and refuse to be bound by the canons of literature, but he might as well refuse to be bound by the law of gravity; willy-nilly, he must master the art of literary expression if he would make his historical attainments effective.

In the first flush of the scientific dispensation, workers in every branch of history seemed equally inspired; and of a truth, their labors were equally useful. But gradually they have classified themselves according to the nature of their work and the talents required for it,—in one class the Men of the Letter, in the other the Men of the Spirit. The master is always a revealer of significances: facts are not ideas. During the mid-period, when they seemed to be on the same level, there were inevitable misunderstandings: the man who dumped an immense amount of original research into an unreadable monograph felt aggrieved that the books of Fiske and Green had a large sale, while some "literary" historians, on the other hand, did scant justice to the patience and devotion of the delvers. Now, happily, as all realize that they are not competitors and that the work of each is honorable and necessary, the sense of unjust distinctions is dying out. But the Men of the Letter always far outnumber the Men of the Spirit, and there is ever present the danger that they will force their methods and their standards on the Men of the Spirit. So, to-day, Philology smothers Literature.

It does not follow that all historical works should be composed after a single plan. There are episodes which call for

special treatment, aspects which require that attention should be focused on them, to the exclusion of a complete or general survey. The immense expansion of knowledge in modern times has provided History with material as abundant as life itself. One science after another has encroached on its domain and tried to usurp its sovereign rights. Political Economy, Government, Sociology, Philosophy, Psychology, Comparative Religion, has each insisted that it alone can interpret the evolution of nations and of mankind, because, it pleads, the spring of human action lies in its field. The economist sees taxation and the supply and demand of commodities dominating men's collective action; the sociologist shows that the relations between classes and between capital and labor are of vital importance: and so with each specialist. But History has not been dethroned: far from it: the abler the attempt of the specialist to prove that his science includes History, the clearer the conclusion that History cannot be thus hemmed in. But all these efforts, and the flood of new knowledge which has been pouring in from every side during the past half-century, have immensely enriched the province of History. The historian can never know too much of any of these or other sciences. He will often appeal to them to explain special events: but he must beware against surrendering his human point of view for that of any specialist. Whatever branch of his art he may practise, let him never forget to be human.

By these stages historical study has risen above polemics and technicalities. We seem to be approaching the happy moment when historical writers are to enjoy the fullest freedom. They have at command inexhaustible stores of material. As the gathering and sorting of documents draw to completion, the demand increases for those who can write; and, since absolutely no period or episode has been exhausted, historians have a limitless field to work in. There is a recognized division of labor among them. They need no longer waste time trying to persuade a doubting generation that the scientific method is the best, or that, since the life of individuals, nations, society, and the human race is a development, so the historian must be an evolutionist: everybody now assents to both propositions. What the world now awaits is results. For, after all, the world, which bothers itself very little about abstruse theories, judges by the concrete product.



Mr. FRANKLIN B. SANBORN said he had a brief communication to make concerning two practising physicians in Massachusetts and New Hampshire in the early colonial period, who had been rather overlooked by the writers on medical practice in New England in the seventeenth century, — Dr. Henry Greenland and Dr. Walter Barefoot. But before stating their case, he would remark, in regard to the French “American Farmer” St. John de Crèveœur, briefly mentioned in a former meeting, that he had been indirectly put in communication with one of his descendants, the only representative of the family now in France, and the son of St. John’s biographer, Robert St. John de Crèveœur. From this source he expected to receive for the Society a copy of the “American Farmer’s” biography, and perhaps some of the inedited manuscripts in possession of the family in Paris. Mr. Sanborn then said : —

Henry Greenland, “chirurgien,” first appeared in Massachusetts early in 1662, establishing himself in practice at Newbury, and very near the Merrimac River, in what is now Newburyport. Upon inquiry by the town officers, he stated that he had come there in order to be near his intimate friend, Dr. Walter Barefoot, then in medical practice at Dover, New Hampshire, and along the banks of the Pascataqua ; that his wife Mary would come over from England later (as she did), and that he would temporarily make Newbury his New England home. He did so until 1666, or thereabout, when he removed to Kittery in Maine, then seeking, by the aid of Charles Second’s commissioners, Carr, Cartwright, Maverick, and Nichols, to become a Province independent of Massachusetts, which claimed jurisdiction. In the previous year he was the subject of a singular agreement made by three of these commissioners, July 17–24, 1665, at Portsmouth, quoted in my History of New Hampshire, p. 72, and running thus : —

“We do hereby testify that we do freely forgive Mr. Richard Cutt of Portsmouth, concerning any injury which he might be supposed to have done us by some words which he was accused to have spoken against the King’s Commissioners (about having a dagger put into their bellies or guts) or words to the like purpose. And if the said Cutt never molest Thomas Wiggin of Dover, or Dr. Greenland of Newbury, for giving in evidence against him, or for reporting him to be the

author of such words, we promise never to produce those writings and evidences which they have sworn before us, to his hurt or damage."

This Thomas Wiggin was the brother-in-law of Walter Barefoot, having married Sarah, his sister, from whom were descended the Masons who, in the eighteenth century, sold the claim of their family to the whole unoccupied lands of that Province; and also, in the nineteenth century, those Havens of Portsmouth, who in several ways distinguished themselves. Dr. Greenland was the intimate friend of Barefoot, and was associated with him in purchases and sales of land at Kittery, as well as in political opposition to the rule of the Puritans in Maine and New Hampshire; and five years later (1670) Greenland was charged with a very wicked attempt to bring his enemy, the wealthy Richard Cutt, to condign punishment in England for treason. In 1665 one of the three Commissioners wrote to England that the two Portsmouth brothers, John and Richard Cutt, "are thought to be worth no less than 50,000 pounds sterling; there is not one man in ten there but what are constantly in their debts." Bearing this opinion of their riches in mind, this evidence of Robert Gardner, taken before John Hunking at the Isles of Shoals, where an armed English vessel, the "Mermaiden," was then lying at hull, becomes important:—

"That Mr. Henry Greenland said unto him, the said Gardner, that he would put our ship's company upon a brave purchase; which should be by seizing on the person of Mr. Richard Cutt, and to carry him for England; and that it would be effected with a great deal of ease, by carrying the ship to Pascataway; and that a small number of our men might go and take himself, and cause him and his servants to carry down on their backs such money and goods as was there to be found. And he was sure the purchase would be worth ten thousand pounds; and he would maintain the doing thereof in point of law; for that the said Cutt had spoken treason against the king." (Court Records, May 27, 1670.)

Upon receiving information of this plot, Captain George Fountaine, of the "Mermaiden," wrote at once to Mr. Cutt, (May 28, 1670):—

Although unacquainted, I do kindly salute you. My present occasion of writing concerns so much your safety and my honor that I cannot delay any time to advise you thereof. For about five days past

there came on board of me one of your neighbors, by name Henry Greenland, who pretended some former acquaintance with some of my men, specially with one Gardner, whom he hath employed to speak to me concerning an unworthy design, as per the enclosed deposition you may know. But I would first tell you and the Country I would scorn to embrace or give ear to any such heinous intents; but in all respects to the utmost of my power, am ready to serve you and the rest of them. Had I been but sure that the law of the Country would excuse me, I would, in half an hour, hang the unworthy man that would fain, by promise of getting great purchase, corrupt me to my countrymen's harm, — which I will never do. What I have at present sent is desiring you to use your own will in following the law on this man: and maybe for your further safety. Pray let me hear from you by the 1st. My love to Major Shapleigh, Mr. Fryar and yourself.

Your faithful friend to command,

GEORGE FOUNTAINE.

No criminal proceedings seem to have been instituted against Dr. Greenland at the time, but two years later (June, 1672), the General Court of Massachusetts issued this order: —

“ Henry Greenland appearing before this Court, and being legally convicted of many high misdemeanors, i. e. endeavoring to disturb his Majesty's government here settled, reviling the courts of justice and the magistrates in base and unworthy terms, and making quarrels and contentions among the people in a very perfidious manner, with profane cursing and swearing; is sentenced to pay a fine of Twenty Pounds in money, and to depart the limits of this jurisdiction within two months next coming, and not to return again without the license of the General Court or Council: On penalty of being severely whipt 30 stripes, and to pay a fine of 100 Pounds: and not to be admitted hereafter to be a surety or attorney in any legal process; and stand committed until the fine of Twenty Pounds be satisfied.”

The execution of this sentence was deferred until the next year, when Greenland with his wife Mary and his children departed for New Pascataway in New Jersey, — a plantation to which several of the residents along the New Hampshire Pascataqua and its branches had gone, and where he remained the rest of his life, so far as we know. There he became a prominent citizen and landholder, at whose house important meetings were held, and there he bore the titles of Captain and Justice of the Peace, as well as of Doctor, though it does not appear that he practised medicine there. He had prac-

tised for nearly four years in Newbury, where, according to Mr. J. J. Currier, in his recent "History of Newbury," he owned house and land on the southwest corner of Ordway's Lane, now Market Street, and "the way by the River," now Merrimac Street. This he sold January 12, 1666, and soon after removed to "Pascataway," now called Kittery, where he soon became a land-speculator and ship-owner, in partnership with Barefoot, who by that time had come down the river from Dover and lived sometimes in Kittery, sometimes at Great Island (now New Castle).

In Newbury, March, 1663, his landlord, John Emery, was fined for entertaining "Dr. Henry Greenland, a stranger, not having a legal residence in Newbury." This fine was remitted upon the petition of the selectmen and chief people of Newbury, "considering the usefulness of Mr. Greenland, in respect of his practice in our town." It was also stated by them, "That he was, by reason of his acquaintance with Capt. Barefoot, etc. inclinable to settle in the Country if he liked, and to make use of his practice of physic and chirurgery amongst us. But being as yet unsettled, and uncertain where to fix, until his wife, whom he hath sent for, did come, he was necessarily put upon it to reside near such patients as had put themselves into his hands for cure." It was at Newbury that some Puritan, shocked at Greenland's levity, reported that one night sitting at John Emery's inn-table, even before the long grace before meat was ended, he put on his hat and began to eat, saying, "Come, Landlord, — light supper, short grace." This jocose mood, together with other habits, brought him into quarrels; and in September, 1664, together with his friend Barefoot, he was convicted of an assault on William Thomas and Richard Dole, in a tavern at Newbury, — probably John Emery's.

Walter Barefoot, who seems to have been great-grandson of a famous Puritan minister in England, Ezekiel Culverwell, first appears in New England in May and June, 1657, as receiving assignment from James Chancellor, chirurgion, and Robert Greenill, able seaman, of two tickets each for their wages in Cromwell's navy, — Greenill's as seaman and cook from September 1, 1654, to June 10, 1655, and Chancellor's as surgeon's mate and surgeon from September 17, 1655, to May 13, 1657. Possibly Barefoot came over in one of the vessels named (the

"Golden Falcon"), and that he also was a surgeon in the navy. The same may be true of Greenland; and this would account for their considerable medical knowledge, so evidently above the standard of New England at that time. Barefoot resided in Kittery awhile from the date named, and, November 16, 1658, he advanced to Captain Francis Champernown, a large landholder there, £130 sterling, and received from him a deed for five hundred acres of land and a house in Kittery. In this deed, and in a bond of August, 1660, Barefoot is styled "Captain," and in the bond, "of New England, merchant," — the giver of the bond being a Barbados merchant, Thomas Langley. August 6, 1661, Barefoot sold a house with thirty acres of land by the seaside in Kittery to S. Harbert, tailor, and soon after became a landholder and physician in Dover, New Hampshire. After Greenland's arrival at Kittery, in 1666, Barefoot bought of him one thousand acres on Spruce Creek, and about the same time two hundred acres near Champernown's Island, adjoining his earlier five hundred acres, which he bought of Colonel John Archdale, afterwards Governor of South Carolina, and a Quaker. In 1687, when Sir Edmund Andros, a political friend of Barefoot and Greenland, was about to confirm Barefoot's title to the thousand acres bought of Greenland, certain occupants of the Spruce Creek lands, — John Shapleigh, Enoch Hutchins, and others, declared to Andros by petition: —

"We your petitioners have purchased several parcels of land lying in Spruce Creek, at a place called Mill Creek in Kittery, containing near or about 1000 acres, and have possessed the same for a very considerable time, and have been at a vast charge and expense, and most spent their time and labor to improve the same, for their and the Country's benefit: whereas Capt. Walter Barefoot never made any improvement on the same, neither did he ever make any claim, as your petitioners ever heard of, till now; neither ever disturb or molest them in the possession and improvement of any part thereof."

It is probable that Greenland had bought under a dubious title, from the heirs either of Mason or Gorges, the original grantees of all that region; and that Barefoot, finding the title in dispute, bequeathed it to Greenland, in his will of October 3, 1688, to avoid perplexing his other heirs; for in that will he said: —

"My land at Spruce Creek, 1,000 acres, which I purchased of Dr. Henry Greenland, I devise to the said Henry Greenland."

It does not appear that this New Jersey heir ever laid claim to it; and the expulsion of Andros in 1689 probably prevented any adjudication in favor of his partisans. A descendant of Greenland, Mr. F. C. Cochran, of Ithaca, New York, now writes me that his ancestor, after leaving Maine in 1673, continued to live at Pascataway, New Jersey, until his death sometime in 1695. By his will written in 1694, he left property to two children, Henry and Frances,—the latter marrying Daniel Brinson, of Pascataway, October 8, 1681. She must therefore have been born as early as 1663, and perhaps before Mary Greenland left England. A second daughter, married to Cornelius Langfield, seems to have died before her father, as also did her mother, who was living in 1684. The son of Frances and Daniel Brinson was named Barefoot Brinson, in honor of Dr. Walter, and became high sheriff of Middlesex County, New Jersey. A descendant afterwards married into the English Penn family.

New Jersey proved to be as full of the fractious as Massachusetts had been, or New Hampshire; but Captain-Doctor Greenland came out "on top" this time. In November, 1681, during a dispute between Governor Carteret and the Council on one side, and the house of deputies on the other, "came in person to the house of deputies Capt. James Bollen, Capt. Henry Greenland, and Mr. Samuel Edsall; and . . . immediately declared that this pretended house of deputies be dissolved, and you are hereby dissolved,"—the Doctor-Captain looking on and approving. Five years later, 1686, he recorded as magistrate a bond to stand by the agreement and decision of arbitrators in fixing a border line. So Greenland appears to have stood in honor during his latest years; while his and Barefoot's former friend in Massachusetts, Edward Randolph, was always censuring and quarrelling with the Jersey government.

It is likely, in view of the facts now stated, that the disfavor into which Dr. Greenland fell in Massachusetts was due to political animosities, arising partly out of the controversy over land-titles in Maine and New Hampshire, and partly out of the religious strife between the Puritans, the Church of England

men, and the Quakers. Barefoot never became a Quaker; but both he and his sister, Mrs. Sarah (Barefoot) Wiggin, of Dover and Stratham, were staunch supporters of the Anglican church, though Puritans by descent; and Greenland, very likely, like Major Shapleigh of Kittery, Colonel Archdale, Ralph Earle, and others bearing military titles in New England, became a Quaker after his banishment. The setting free of the Quaker women at Salisbury and Newburyport, while being whipped from Dover to Providence, in 1662, at the order of Major Waldron of Dover, was the work of Barefoot and Major, or Captain, Pike; but Greenland and his friend and host, Emery, probably assisted in it. The life of the Greenland family, after leaving Maine, has been historically unknown hitherto, but it appears to have been respectable, and probably both they and the Barefoots were better people than the Puritans thought them.

It seems, by Mr. Cochran's researches, that Ezekiel Culverwell, of a celebrated Puritan family, married in 1598, in London (at the age of forty-four, and a widower with children), Mrs. Edward Barefoot, a widow, whose maiden name was Winifred Hildersham, and who had lived at Hatfield Broadoak, in Essex, before her marriage to Edward Barefoot, of Lamborne, in Essex, the seat of the Barfoots or Barefoots for a century or two. She was the half-sister, through her father, Thomas, and his wife, Frances Bladwell, of Rev. Arthur Hildersham, who in 1592 married Anne Barfoot, of Lamborne Hall, daughter of John Barfoot, and sister of Edward. This whole connection was stoutly Puritan,—Rev. Ezekiel Culverwell having a brother, Samuel, a famous preacher, and two sisters, one of whom married Laurence Chaderton, master of Emmanuel College, and the other married William Whitaker, master of St. John's College, Cambridge. From such a nest of Puritans came forth that odium of the New England Puritans, Walter Barefoot,—and possibly Henry Greenland, also, in whose family appears a Katharine, perhaps descended from Mrs. Katharine Barfoot, of Lamborn Hall, in the reign of Henry VIII. Ezekiel Culverwell's daughter, Sarah, married Thomas Barefoot, son of Edward, of Lamborn (born in 1586), and their son, John, seems to have been the father of Walter and Sarah, of New England. If so, Arthur Hildersham, an obstinate and imprisoned Puritan, was their great-uncle.

Mr. JAMES F. HUNNEWELL presented the following paper:

*Latest and Earliest Town Views.*

Let me present to the Society five views in Boston that are of interest and that should be in its collections.

Three of the views, on a fairly large scale, are photographs of the Harvard (Unitarian) Church in Charlestown, built in 1818, and now being much changed for business use. Here the Rev. Dr. George E. Ellis, formerly President of this Society, was minister from March 11, 1840, to June 13, 1869. An interior view shows an alcove and the pulpit as they were during the latter part of his ministry, and, at the left, the position of a wall-monument to his predecessor, the Rev. Dr. James Walker, who became President of Harvard. One exterior view shows the front and tower, of red brick, and the wooden gray steeple, the whole one of the best designs in its style in this region.

Another view, taken from Green Street, shows a curious and very uncommon feature, — that there were for the last half-century two steeples, one inside of the other. The frame, partly stripped, shows the outline of the steeple seen during that period; within it is seen the tip of the original steeple, short, round, and small, known by Dr. Ellis during the earlier part of his ministry. It was thought that an improvement could be made, and the newer steeple was built without disturbing the original. At the right, I may add, are three of the old trees in my garden, under which I played when a boy, and to-day flourishing.

The other two views are the fifth and sixth produced by the Iconographic Society, which is formed by ten members of the Club of Odd Volumes. These views complete the First Series of the former's publications. One of the views is of Faneuil Hall as it was in 1870; the other is of "The Old Corner Bookstore" as it was in its older days and the time of its greatest glory, in 1850. Both views are finely engraved by S. L. Smith, and the impressions are limited to 73 each, the plates being then destroyed, so that these engravings will remain not only among the finest ever made of Boston subjects, but also among the scarcest. All of these five views may even now be called scarce.



While presenting some of the latest local views as now given by process or plate, — that is, in current styles, — let me show a few of the earliest town views ever made, and the great contrast. I had thought of a paper on what might be called Primitive Town Views, but it would, perhaps, be out of the range of subjects treated here.

The earliest work giving such views on any great scale is a volume so large and heavy that I could hardly bring my copy here. It is, in sundry respects, one of the most remarkable volumes ever printed, and is now rarer than Eliot's Indian Bible, and is, it may be said, the first illustrated Universal History, — the "*Rudimentum Noviciorum*," by the great prototypographer of northern Germany, Lucas Brandis, Lubeck, 1475, and the first book there printed. Closely following it, was the "*Fasciculus Temporum*," a compendium of history from the Creation to the year of publication.

Let me first show the edition by Peter Drach, Speyer, 1477, giving views of Rome, Syracuse, and other cities among the earliest ever printed. Next, let me show the edition by Erhard Rodolt, Venice, 1481. On the verso of leaf 37 is a cut said to be "the first engraved view of Venice." The development from these beginnings to the plates by our Boston Iconographic Society, from the rudest to the finest, is worth observing.

Furthermore, this work is of interest in a modern Historical Society and elsewhere, showing, as it does, the popularity of history at a very early date in the lifetime of printing.

Within nine years, 1474 to 1483, there were at least ten editions, — seven of them in Latin, and one each in Dutch, German, and French, all in folio. The seven were by Terhoernen, Cologne, 1474; by Hoemborch, also there, 1476; by Veldener, Louvain, 1476; by Drach, Speyer, 1477; by Rodolt, Venice, 1481; by Kunne, Memmingen, 1482, and (said to be the "earliest book printed in Spain") 1480. The others were, in German, by Richel, Basle, 1481; in Dutch, by Veldener, Utrecht, 1480; and as the "*Petit fardellet des faits*," Lyon, 1483. Some things more than town views are shown by this list. Any historical work now published in as many places, countries, and languages within nine years would be considered a marked success, and to have interest and value.

Hon. SAMUEL A. GREEN read the following paper: —

*Washington Oak at Mount Vernon.*

In a letter from Washington printed in the Boston Evening Transcript, April 14, 1905, is an account of the planting of an oak last year, in the lawn near the west terrace of the White House, by President Roosevelt, assisted by Secretary Hitchcock, a member of his Cabinet. The letter goes on to say that the tree was a lineal descendant of a native American oak which overshadowed the tomb of Washington at Mount Vernon; and that acorns from this oak were sent to the Czar of Russia by Charles Sumner, while Senator from Massachusetts. The account furthermore stated that Mr. Hitchcock, who had previously been the American Ambassador at the Court of St. Petersburg, had picked up a handful of acorns which he found under the tree, and sent them home.

From the seed then planted six or eight years ago there came up a few oak saplings, of which one was the tree set out in the grounds of the White House; and another was placed near its grandparent at Mount Vernon. In the interest of historical truth, I took the liberty to call the attention of Secretary Hitchcock to the fact that it was George Sumner, a younger brother of Charles, and not the Senator, who had given the acorn to the emperor. George Sumner was a member of the Historical Society, and his memoir, printed in the Proceedings (XVIII. 189-223), gives many details connected with this interesting episode. The incident may seem too trivial for serious notice, but a memorial tree, if it is to have any meaning, should be deeply rooted in truth and accuracy.

In answer to my letter Secretary Hitchcock sent me a courteous reply, which brings the history of the Russian tree down practically to the present time, as follows: —

SECRETARY'S OFFICE, DEPARTMENT OF THE INTERIOR,  
WASHINGTON, D. C., April 20, 1905.

SAMUEL A. GREEN, Esq.,

Librarian, Massachusetts Historical Society.

MY DEAR SIR, — I am this morning in receipt of yours of the 18th, and thank you for calling my attention to the letter printed in the Boston Transcript of April 14th, wherein it is stated, on my authority, that Charles Sumner, while Senator from Massachusetts, sent to the Czar of Russia some acorns taken from a tree shadowing the tomb of

Washington, which statement you correct by referring me to a full account of the occurrence to be found in the Proceedings of the Massachusetts Historical Society, September, 1880 (XVIII. 194), for which I also thank you.

In reply, I beg to say that I have obtained the volume above referred to, and have read with great interest the memoir of George Sumner, prepared by Mr. Robert C. Waterston, from which it would appear that the information heretofore given me to the effect that the acorns were sent by the late Hon. Charles Sumner to Russia was incorrect, but was deemed accurate by me in the absence of more detailed and specific information until the receipt of your letter this morning.

As the incident referred to has found a place in the records of the Massachusetts Historical Society, it may not be inappropriate to bring the story up to date.

While Ambassador at the Court of St. Petersburg, I inquired as to the location of an Oak tree which I had been informed had grown from an acorn which the Hon. Charles Sumner, while Senator of the United States, had sent by his brother to His Imperial Majesty, the Czar, the acorns sent by Mr. Sumner having been taken from a massive Oak shading the tomb of Washington at Mount Vernon.

The memoir of George Sumner, to which you have kindly referred me, now furnishes me, for the first time, with a correct statement of the incident, but I would correct one of its statements to the effect that this Oak was planted near the cottage of Peter the Great, whereas the acorn from which it grew was planted on what is known as "Czarina Island," which is included in the superb surroundings of one of the palaces of His Majesty, near Peterhof. Suspended from the tree is a brass tablet bearing a Russian inscription, the translation of which is as follows:—

The acorn planted here was taken from an Oak which shades the tomb of the celebrated and never to be forgotten Washington; is presented to His Imperial Majesty, the Emperor of all the Russias, as a sign of the greatest respect.  
By an American.

I was fortunate at the time of my visit, which was in the fall of 1898, in finding a number of acorns on the ground that had been dropped from this historic tree. Gathering a handful, I sent them home, and secured from the seed thus planted a few Oak saplings, two of which were sent here from St. Louis, in April, 1904, one of which was planted by President Roosevelt in the grounds of the White House near what is now the north gate of the eastern entrance opposite the Treasury building, April 7, 1904, while the other was planted by myself under the shadow of its grandfather at Mount Vernon. Owing to climatic conditions at the time of the planting of these saplings, both the one planted by the President in the White House grounds and the other planted at Mount Vernon failed to live; but on Friday last (April 14th)

I received from my home at St. Louis another of these saplings, and on that date, planted it in the place of the one that had been planted by the President. Altogether, of the acorns sent from Russia, five sprouted and produced young Oak saplings. Two of them I had sent last year to my cottage at Dublin, New Hampshire, and I am pleased to say are growing nicely. One of these two, I will take to replace the one lost at Mount Vernon, and thus perpetuate, both here in Washington, and at Mount Vernon, the historic association growing out of the Russian Oak of George Sumner which, as described in the memoir —

was a gift, simple and natural, accompanied by no courtly parade, whose whole worth consisted in its association with the memory of Washington;

to which I might add: And was accepted by an Imperial Sovereign who, with his successors and people, have shown a friendship for our Government and its people which should never be forgotten. On page 195 of the memoir, it is stated —

The acorns had been carefully planted near the summer palace, while, as a mark of special consideration, a position had been selected for it on the grounds where still stands the cottage once occupied by Peter the Great, and where it would be watched over with constant care;

the actual fact being that the tree above referred to that grew from this acorn is on Czarina Island, as above stated, and is not anywhere near the cottage of Peter the Great, which is on the banks of the Neva directly opposite the principal part of the City of St. Petersburg, and near the cathedral of St. Peter and St. Paul.

Yours very truly,

E. A. HITCHCOCK.

Other remarks were made during the meeting by Messrs. WILLIAM R. THAYER, EDWARD H. GILBERT, FRANKLIN B. SANBORN, ARCHIBALD CARY COOLIDGE, JOHN D. LONG, and GAMALIEL BRADFORD.

## JUNE MEETING, 1905.

THE stated meeting was held on Thursday, the 8th instant, at 12 o'clock, M.; the President in the chair.

After the reading of the record of the May meeting and of the list of donors to the Library, it was

*Voted*, That the stated meetings for July, August, and September be omitted, the President and Recording Secretary to have authority to call a special meeting if necessary.

The Librarian announced that, in accordance with a vote of the Council, and with the concurrence of the representatives of the late Thomas L. Winthrop, fourth President of the Society, he had sold a copy of Audubon's "Birds of America," given to the Society many years ago by that gentleman. The proceeds of the sale — two thousand dollars — would form the nucleus of a fund the income of which would be used for the purchase of books more germane to the purposes of the Society, and the Librarian hoped that the interest would be added to the principal until the fund amounted to the sum of five thousand dollars or upward.

The President read a communication from the executors of the will of our associate the late William S. Appleton, stating that under the terms of Mr. Appleton's will the Society would receive the large and important collection of coins and medals relating to the United States which had belonged to Mr. Appleton.

The PRESIDENT then said: —

The painful duty of announcing the loss of a Resident Member of the Society once more devolves upon me; and on this occasion it is the loss of one bearing a name than which none is more closely, or indeed so closely, associated with either the Society or the Commonwealth. I have not examined the record to satisfy myself on that point, but I am under the impression that this is the first meeting, certainly for a century,

possibly since the organization of the Society, that the name of Winthrop has not been borne on its rolls. The last bearer of that name, Robert C. Winthrop, Jr., — as he elected still to be called, though his father, the first Robert C., died more than ten years ago, — passed away on the evening of Monday, the 5th instant, at his residence here in Boston. Though long in declining health, his death, due to heart failure as the immediate result of a surgical operation, was a surprise and a shock. His funeral is announced for to-morrow. Under the circumstances I shall confine myself to the usual announcement from the chair, leaving the customary characterization for a future occasion.

Born in Boston, December 7, 1834, Mr. Winthrop was chosen a Resident Member May 8, 1879, and during the presidency of his father. At the time of his death his name stood, in order of seniority, eighteenth on our roll. For over twenty of the twenty-six years of his connection with the Society, Mr. Winthrop was one of the most active, interested, and influential of its members. More recently, owing to a marked tendency to seclusion, — due, as he claimed, to bodily infirmities and especially to a growing imperfection of hearing, — he had ceased to attend our meetings, the last at which he was present, and in which he took characteristic part, having been that of February, 1901. Indeed, only on one other occasion, I believe (March, 1899), has he attended any meeting held in this building. We associate him mainly with our old Tremont Street home. There he rarely failed both to be present and to participate.

His first committee service was in 1880, in connection with the Winthrop Papers, in the preparation and publication of which he took a natural and hereditary pride. The finances of the Society were at that time in a far from flourishing state, and it was Mr. Winthrop who quietly came forward and met the cost, some \$1200, of printing the volume (Part IV.) published after he had been made a member of the committee. Subsequently, in 1889, 1892, and 1897, he served on the similar committees for the publication of Parts V. and VI. of the Winthrop Papers and of the volume of Bowdoin and Temple Papers. Between 1886 and 1898 his service on other committees was almost continuous and never merely nominal. He was essentially a working member. For example, from

April, 1886, to April, 1889, he was on the Executive Committee of the Council; in 1887, on a special committee to catalogue the Society's manuscripts; in 1889, on the committee to nominate officers; in 1896, on the committee to decide and act on the financial policy of the Society; and, in 1898, on the Building Committee having charge of the work on this edifice.

Passing to his communications and share in our proceedings, besides two lesser memoirs, that on R. M. Mason and that on David Sears, he prepared the more elaborate biography of the elder Robert C. Winthrop. This last, let me say in passing, was not only a most creditable piece of literary work, done with much judgment and good taste, but it stands in lasting evidence of that abiding and admiring respect for his father which was in him so marked a characteristic. Besides the above, the list of Mr. Winthrop's miscellaneous formal contributions, some fifty in number, is too long for detailed enumeration; suffice it to say, it includes many of the most valuable as well as entertaining papers read at our meetings between 1880 and 1900. During those years no one was listened to with more instruction, certainly no one at times did so much to enliven a series of meetings not characterized, as a rule, by sallies of humor or aggressiveness of speech. Nor was his participation confined to formal papers; and the older members of the Society will bear me out in the statement that, when Mr. Winthrop took the floor, whatever degree of listlessness might before have been apparent at once disappeared from our gatherings. All was alertness and attention.

An accomplished host as well as a generous giver, to him we owe that most valuable double autograph of Governors Bradford and Winthrop which ornaments our entrance chamber, one of the most precious of the Society's possessions; and on two occasions at least, the special meeting after the death of Charles Deane and the Annual Meeting of April, 1898, he entertained the Society at his home.

Altogether I may confidently assert that through a score of years no member of our organization was more constant in attendance, more fruitful in matter, more entertaining as well as instructive in his contributions, more generous in gift and more lavish in hospitality than was that friend and associate of fifty years whose death I to-day announce.

The President also read an interesting and suggestive paper embodying "Some Notes made in Africa on the British Occupation of Egypt and the Soudan, and on the Status of the African in the Upper Nile Region," prefacing it with the remark that for obvious reasons, which would become apparent in the course of the reading, it was not desirable the paper should be printed in the Proceedings.

This paper was followed by some brief extemporaneous remarks by Messrs. GAMALIEL BRADFORD, FRANKLIN B. SANBORN, and JOHN D. LONG.

A new serial of the Proceedings, containing the record of the April and May meetings, was ready for delivery at this meeting; and it was stated that a new volume of the Collections, comprising the third part of the Heath Papers, would be ready for distribution in the course of the month.

After the adjournment the members and some invited guests were entertained at luncheon in the Ellis Hall by the President.



## OCTOBER MEETING, 1905.

THE stated meeting was held on Thursday, the 12th instant, at three o'clock, P. M. ; the President in the chair.

The record of the June meeting was read and approved ; and reports were received from the Librarian and the Cabinet-Keeper. Among the gifts to the Library were two volumes of autographs from the heirs-at-law of our late associate Henry W. Taft, of Pittsfield. The Cabinet-Keeper called attention to some interesting engravings presented by the family of the late William S. Appleton, and gave a preliminary account of the autographs, early newspapers, and relics bequeathed to the Society by the late Charles E. French, of Boston.

The President reported from the Council two receipts and votes relating to the bequests of the late Robert C. Winthrop, Jr., with a recommendation that they be passed by the Society, and they were accordingly passed by a unanimous vote : —

Received of Francis C. Welch, Executor of the will of Robert Charles Winthrop, the younger of that name, late of Boston, in the County of Suffolk, deceased, testate, Five thousand dollars given by the first paragraph of his said will in words following: "First. I give to the Massachusetts Historical Society the sum of Five thousand dollars (\$5,000) to be added to and form part of the fund bequeathed to that Society by my Father, and called by his name," and the said Massachusetts Historical Society hereby accepts said legacy upon the terms set forth in said will and agrees to be bound thereby, and the said legacy being now paid within two years after said Executor has given bonds for the discharge of his trust the said Massachusetts Historical Society agrees to refund said legacy or so much thereof as may be necessary to satisfy any demands of legatees and creditors that may be hereafter recovered against the estate of said deceased and to indemnify said Executor against all loss and damage on account of this payment.

In witness whereof the said Massachusetts Historical Society has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Charles C. Smith, its Treasurer,

thereto duly authorized this 12th day of October, A. D. Nineteen hundred and five.

*Voted* : That Charles C. Smith, the Treasurer, is hereby authorized and instructed to execute, acknowledge and deliver in the name and behalf of the Corporation the receipt and agreement which have just been read.

Received of Francis C. Welch, Executor of the will of Robert Charles Winthrop, the younger of that name, late of Boston, in the County of Suffolk, deceased, testate, Two thousand dollars given by the second paragraph of his said will in words following: "Second. I give to the said Massachusetts Historical Society the further sum of Two thousand dollars (\$2,000) to be added to and form part of the fund bequeathed to that Society by my kinsman, William Winthrop, of Malta, and called by his name; and I invite the attention of said Society to the fact that the income of this fund was directed to be applied to the binding of 'valuable manuscripts and books,' and that it has been a perversion of the intention of the donor to use it, or any part of it, for binding miscellaneous printed matter of little value," and the said Massachusetts Historical Society hereby accepts said legacy upon the terms set forth in said will and agrees to be bound thereby, and the said legacy being now paid within two years after said Executor has given bonds for the discharge of his trust the said Massachusetts Historical Society agrees to refund said legacy or so much thereof as may be necessary to satisfy any demands of legatees and creditors that may be hereafter recovered against the estate of said deceased and to indemnify said Executor against all loss and damage on account of this payment.

In witness whereof the said Massachusetts Historical Society has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Charles C. Smith, its Treasurer, thereto duly authorized this 12th day of October, A. D. Nineteen hundred and five.

*Voted*. That Charles C. Smith, the Treasurer, is hereby authorized and instructed to execute, acknowledge and deliver in the name and behalf of the Corporation the receipt and agreement which have just been read.

The President presented from the New York Historical Society an impression of the medal struck for that Society in commemoration of the centennial anniversary of its organization. The medal has on the obverse a head of John Pintard, whose name is also closely associated with the formation of this Society.

Hon. Samuel A. Green handed in the memoir of the late Henry W. Taft which he had received during the summer vacation from the late Hon. JAMES M. BARKER.

The PRESIDENT then said :

For the twelfth time I welcome the members of the Society back from the vacation period.

During the four months since our last meeting, I am not aware that anything has occurred calling for record or particular mention. The work of the Society has pursued its regular course ; and while numerous celebrations of greater or less interest have occurred, none have been more than local, nor has there been any especial reason why the Society, as such, should participate in them. At the June meeting reference was made by me to our late associate Robert C. Winthrop, Jr., as he always continued to designate himself even after the death of his father. Mr. Winthrop, it will be remembered, died on the evening of Monday preceding our meeting ; he was buried from the chapel of the Theological School, on Brattle Street, Cambridge, the afternoon of Friday (9th). Subsequently it appeared that the Society had not been forgotten by Mr. Winthrop in a testamentary way. Feeling an hereditary as well as a personal interest in it, the following bequests appeared in his will :—

“I give to the Massachusetts Historical Society the sum of five thousand dollars to be added to and form part of the fund bequeathed to the Society by my father, and called by his name. I give to the said Massachusetts Historical Society the further sum of two thousand dollars to be added to and form part of the fund bequeathed to that Society by my kinsman, William Winthrop, of Malta, and called by his name ; and I invite the attention of said Society to the fact that the income of this fund was directed to be applied to the binding of ‘valuable manuscripts and books,’ and that it has been a perversion of the intentions of the donor to use it, or any part of it, for binding miscellaneous printed matter of little value.”

It will at once be noticed that this bequest on the part of Mr. Winthrop is strikingly illustrative of that most amiable feature of his character to which I alluded in my announcement of his death at the June meeting, — the extreme reverence he always felt for his father, and the solicitude he showed for his memory. The bequest thus made to the

Society, it will be observed, is of the same kind and amount as that previously made by his father, and in addition thereto. The entire fund thus created will be known by his father's name.

The intimation of Mr. Winthrop as respects the use made of the income of the William Winthrop fund will, of course, hereafter be carefully regarded.

Mrs. Winthrop also advises me as follows in regard to another reference to the Society in the will of her husband : —

“All the family papers and others were left to me with the suggestion that I should give to the Society forty-three folio and other volumes, of which I have a detailed list. He requests that they should be kept in the oak cabinet given by him and lettered ‘Winthrop Papers.’ There is other historical material which, if I choose, I may give to the Society, but I shall decide about that later. I have forty-three volumes I propose sending to the Historical Society when I return to town in November.”

It affords me much gratification, therefore, to report to the Society, and put on record in our printed Proceedings, the fact that, before the expiration of the year, all this most valuable collection of papers — the gift, through his widow, of the younger Robert C. Winthrop — will be deposited with this Society, becoming its property. Its ownership, apparently, passes to us. Certainly no safer or better depository could be found; but the value of the accession from an historical point of view cannot easily be estimated, while it would not admit of expression in money. Our collections are vastly enriched.

Until this meeting was close at hand, I had hoped to be able to announce to the Society that we met with numbers unimpaired. Such, I regret to say, is not the case. John Hay, a Corresponding Member, had, it is true, died at Newbury, New Hampshire, on the 1st of July; but of Mr. Hay it surely is unnecessary to speak now. Placed on our roll of Corresponding Members at the June meeting of 1900, his death is so recent, and the published notices of him have been so numerous, that further reference here is manifestly superfluous. It is otherwise as respects Judge Barker. Born in Pittsfield October 23, 1839, he was elected a Resident Member the 9th of April, 1896. At the time of his death, therefore, he had been a member

a few days less than nine years and a half. It is a suggestive fact that, though the ten years of his membership were not yet completed, Judge Barker's name stood fifty-second on our roll. To us older members his election seems recent. Meanwhile the time which has since intervened has sufficed, within a small fraction, to renew the membership of the Society by one-half.

As one of the justices of the Supreme Judicial Court of the Commonwealth, official duties necessarily prevented Judge Barker from taking an active part in our proceedings, or, in fact, being often present at our meetings. Other and obligatory engagements kept him elsewhere. He was, nevertheless, an interested as well as appreciative member. Representing the western part of the State, he was present here whenever his attendance in court would permit, and was always ready to assume, and promptly perform, any duty which might be assigned to him. Accordingly, it was Judge Barker who, at our meeting of October 12, 1899, paid tribute to his associate on the bench of the Supreme Judicial Court, Chief Justice Field. He also prepared a memoir of President Paul A. Chadbourne, which he presented at the meeting of November 10, 1904. Recently he had been appointed to write a memoir of Henry W. Taft, of Pittsfield, a fellow-townsmen. Judge Barker's death, which occurred in this city shortly after the autumn sessions of the Supreme Court began, was wholly unanticipated; and yet it was characteristic of the man that the obligation thus imposed and assumed was already discharged. Promptitude was one of his characteristics; and the last time he visited this building, only two months before his death, he brought with him the memoir he had agreed to furnish. More than that, he also then notified us of a valuable gift to the Society of papers, autographs, etc., from the family of Mr. Taft, for which, doubtless, we are also under obligation to him; for it is safe to assume that the disposition was made at his suggestion. I will only further add that Judge Barker never served on any committee of the Society, nor was he a member of its Council.

Judge Barker was appointed a justice of the Superior Court of the Commonwealth by our associate Hon. John D. Long, during his term as Chief Executive of the Commonwealth. I shall ask Mr. Long to favor the Society with the

characterization usual on the announcement of the death of an associate.

In response to the President's invitation, Hon. JOHN D. LONG spoke as follows:—

I am glad to respond so far as I can to your call, and I do so thinking of Judge Barker not only as a member of this Society and a public official of high rank, but as a personal friend of many years, the memory of whose kind face and kind greeting and sweetly companionable personality is very grateful to me, as I am sure it is to us all. I knew him, not man and boy, but old man and young man, although those terms seem unfitting, for there was always an almost singular evenness and continuity of quality and tenor in him from first to last, so that in youth he had the poise and prudence of age and in age the freshness and openness in mind and heart of youth.

He was always easily in prominence, not like a towering monument on a pedestal, but like a fair white stone on the highway of our New England life. Some men come into sight by the display of exceptionally brilliant qualities and achievements, some by persistent push and forceful manipulation of agencies, and some by simple strength of character not so much asserting itself as turned to by the public, which always carries a lantern and is on the lookout for an honest man. Public advancement comes to men of this last class more easily when they have the added quality of loveableness, sympathy with the community felt by it as well as felt by them,—a quality expressed in the vernacular "We like him," and by the use in addressing them of the first or given name and often the diminutive of that, as was the case with Mr. Barker, not from any lack of personal dignity, which in him was very marked, but from the personal affection and good-will felt for him by his early neighbors and friends. If he were to-day a citizen of New York City, where just now the only hope of one political party's success is in finding the best of men as well as one with the popular element in him, the Judge was the sort of man who would be asked to run for Mayor.

Among his classmates in college he was their beloved, and his word weighed. A young lawyer in his native town of Pittsfield, without prestige as a brilliant advocate or resort

however proper to canvassing activities, he was sent to the General Court because of the general pride in his worth and confidence in his good judgment, his discretion, his absolute integrity. There among his legislative associates their recognition of the same qualities put him in the front rank of the leaders not of debate but of direction and legislation. Later, in selecting a member from the western part of the State on the commission for revising the tax laws, it was Mr. Barker, with his reputation at home and in the Legislature, to whom Governor Talbot's attention was turned. So, too, with Governor's Talbot's successor when a similar member was to be associated with Charles Allen and Uriel Crocker on the commission for revising the public statutes of the Commonwealth, and when in 1882 a vacancy occurred on the Superior Bench, Mr. Barker's appointment to which was universally approved. So, too, when Governor Russell promoted him in 1891 to the Bench of the Supreme Judicial Court, — an appointment equally approved; and as it was the appointment of a man not of the then governor's political party antecedents, it set an example just now followed by our present highly deserving chief magistrate in the promotion of Judge Sheldon from the Superior to the Supreme Court.

It is in the latter place that Mr. Barker achieved his highest mark. He was admirably equipped for it by nature and training. He had distinctively the judicial quality. He was a diligent student of the law, both of its precedents and its general principles. He was fair-minded, industrious, patient, wise, courteous, neither garrulous nor austere. He had a fine sense of justice, of right and truth. His integrity, intellectual as well as moral, was structural, — a gift rather than a virtue. Somebody said in eulogy of Senator Hoar that he never yielded to the temptations which attend a public official to feather his own nest. It was not well put, because with a man of the Senator's organic qualities there are no such temptations; he never faces them because for him they do not exist. It might as well be said that he never yielded to the temptation to eat thistles or wear an iron helmet on his head. Of the same sort was Judge Barker. And of the same sort, thank Heaven, are so many of our trusted ones, who in every community, in city or in rural hamlet, set the standard of conduct. Indeed one characteristic of Judge Barker is that

he is a type of the men who serve in similar lines, — the faithful judges of our courts, the better class of legal advisers and counsel, the good citizens.

Judge Barker was not limited to the law. He was always interested in public affairs. Of independent mind, he yet participated in political party councils and canvasses. He went to State and national conventions. He was always on the side of better things, of the reform of the civil service, of the uplift of political methods and results. He was a model of good citizenship, a loyal alumnus and trustee of his college, a very charm in the domestic and social circle. He dearly loved rural New England, and with a gentle humor enjoyed the quaintnesses and shrewd wit of the New England folk. It was his delight to camp on the seashore among the fishermen, and especially was it his delight to wander over the Berkshire hills, which were so familiar to him, to fish its streams, and to put himself in sympathy with its atmosphere and with its rural people, every one of whom knew him and cherished him. A healthy, all-round, wholesome man, good and true, he exemplified the simple life and preached it by living it. He embodied the ideal of the birth, culture, spirit, life, and service of a son of Massachusetts. When death came he had nothing in the past to regret, nothing in the future to fear. His accounts were all squared on the ultimate ledger. And he rests in peace!

Mr. John Noble was appointed to write the memoir of Justice Barker for publication in the Proceedings.

The PRESIDENT submitted the following paper, which, he said, because of its length, would in full occupy much more than the prescriptive twenty minutes. He accordingly read portions of it only.

Nearly a year ago, our associate Mr. Rhodes caused to be sent to me an advance copy of the then forthcoming fifth volume of his History. In his case, and under the circumstances, the conventional note of acknowledgment, expressive of the great pleasure anticipated in a more or less remote future perusal, was clearly out of the question; but, as I was then circumstanced, the immediate and careful reading of a bulky octavo of six hundred pages was scarcely less so. I therefore frankly wrote Mr. Rhodes that it would be necessary for me to lay the volume aside against some time of greater leisure;



but, when the occasion presented itself, I proposed to improve it by making his gift the subject of a communication to this Society. Even if it might not be in my power to add anything new in the way of material, not impossibly I might contribute something not wholly devoid of value by approaching the subject from a point of view in some respects different from his.

Not until June did the opportunity present itself. It then came in the form of a business trip to the Pacific coast, the tedium of a portion of which was greatly relieved by Mr. Rhodes's narrative. The period covered in this volume, — the twenty-one momentous and ever memorable months between December, 1864, and August, 1866, — is within my own recollection. As an actor, I bore my part, even if a very subordinate one, in some of the military operations which then took place; and, when the war drums ceased to beat and the battle-flags were furled, I was deeply interested in the subsequent political movements and discussions in this volume described. I have thus lived to hearken to the verdict of the historian upon men with whom I associated, and events of which I was part; and I will freely confess it has been to me matter of no small satisfaction to find the mature judgment of the historian in greatest degree coinciding with my own long ago feelings, and the convictions I at the time entertained. In reading the book, I passed my own recollections in review.

Even if I saw occasion for it, the present would, to my mind, on mere grounds of good taste, be neither a proper time nor a suitable place for a controversial paper, much less for adverse criticism of Mr. Rhodes's work, which I do not hesitate to call great. But I am glad, on the threshold and once for all, to acknowledge that, as the result of my study of our associate's volume, I find in it little call to controversy, and none for adverse criticism. On the contrary, it has left upon me the impression of a thoroughly good piece of up-to-date historical writing; and, in my judgment, it tends distinctly to elevate rather than to lower that high traditional standard established for our Society in other days and by men of a former generation. As an organization, we have a right to pride in such work. Based on the careful study of a vast mass of material, patiently gathered and judicially considered, the book is lit-

erary in tone and calm in spirit. The period dealt with is one of abiding interest and of far-reaching moment. Its significance will only increase with the lapse of time, and to its history this volume will, I make bold to say, prove a contribution of lasting value. If for no other reason, it will so prove from the fact that it is not so far removed from the time of which it treats as to cease to be contemporaneous. He who writes has in this case shared in the intensity of that of which he writes; with his own eyes he has seen many of the actors in the events of which he treats, and his ears have drunk in their own descriptive words. How great an advantage this may prove to one competent to avail himself of it has been shown more recently by Clarendon and Thiers, as in the classic times by Tacitus and Thucydides. What is more, I am willing here to put on record the belief that the judgments now rendered by Mr. Rhodes, as to both men and events, will prove in essentials to be in harmony with the ultimate verdict. Nor is this something lightly said; for I hold that the men and events of the period of Gettysburg and Emancipation will be studied and weighed not less closely by the Carlyles, the Macaulays and the Gardiners of the twenty-third century than were the events and men of the Naseby and Commonwealth period by those I have named of the nineteenth.

But if this is no place for the adverse criticism by one associate of the work of another, ours, on the other hand, is no mutual admiration society. Having therefore put myself right in a general way as to the estimate in which I hold the volume under consideration, I shall proceed to point out what I take to be certain defects and shortcomings therein. In writing history, especially the narrative of events still to a large extent contemporaneous, much necessarily depends on the point of view. The direction of approach involves, indeed, nothing less than the question of perspective, and the relative proportion of parts. On these, in turn, depend to some extent the conclusions reached. Upon this subject I have already more than once set forth my views, and I will not now repeat them or myself. On one occasion,<sup>1</sup> however, I found an illustration in the writings of two of our Corresponding Members, — Captain A. T. Mahan and Mr. Henry Adams. Both, it will be remembered, treated of the events of the same

<sup>1</sup> Proceedings, 2d series, vol. xiii. pp. 107, 108.

period, — the momentous Napoleonic period, — and of the connection of the United States with those events. Mr. Adams approached the problem from the diplomatic point of view; Captain Mahan from the Sea-Power side. Both views unquestionably are essential to a correct understanding of what then took place, its why and its when, its wherefore as well as its outcome. They supplement each other; yet, neither separately nor together, do they make plain the complete inwardness of that highly complex situation. So far as the United States was concerned, the key to the mystery is to be sought in the commercial necessities of the time and the combatants; and the problem needed to be approached from the trading point of view. But neither of the investigators was a trader, much less a banker or a merchant. Accordingly there is still a phase of the narrative waiting for some one to supply.

Coming now directly to the point, and Mr. Rhodes's fifth volume, he therein approaches his subject in a general way. Neither a politician nor a soldier, he is as unskilled in practical diplomacy as he is innocent of any study of international law; nor can he be classed as a publicist. Once, indeed, a man of affairs, he is now a judicially minded general investigator, bringing much hard common-sense to bear, always modestly, on the complex problems of a troubled and eventful period. Now it so chanced that, in dealing with certain phases of that same period, I have approached the subject from a more specialized point of view. Though myself, at the time Mr. Rhodes deals with in this volume, in the army, or living here in Boston, I have since, not unnaturally under the circumstances, studied the problems involved from the diplomatic standpoint, — the position then occupied by my father, with whose papers I have chiefly had to deal. In what I now have to say, therefore, I propose to point out, in a spirit of criticism wholly friendly, what seem to me certain deficiencies and shortcomings of Mr. Rhodes's treatment, when thus looked at. They will prove not inconsiderable. Indeed, they go, in my judgment, to the heart of the story.

At the close of his summary of the war, in that chapter devoted to a consideration of the internal affairs of the Confederacy during the struggle, Mr. Rhodes suggests a query which I have often put to myself, and over which I have, first and last, pondered much. Tersely stated, it is this: — How was

it that we ever succeeded in overcoming the seceded States? Mr. Rhodes says: "A certain class of facts, if considered alone, can make us wonder how it was possible to subjugate the Confederates. It could not have been accomplished without great political capacity at the head of the Northern government, and a sturdy support of Lincoln by the Northern people."<sup>1</sup> This, I submit, is an inadequate answer to a perplexing question, — a question which goes to the heart of any correct historical treatment of our Great Rebellion, to adopt Clarendon's title. Surely it goes without saying that to overcome a combination of numbers, resources and territory such as that composing the Southern Confederacy implied great political capacity in the overcoming power, and the sturdy popular support of him upon whom the task devolved. As Shakespeare causes Horatio to observe in another connection, "There needs no ghost come from the grave to tell us this." But the question suggested by Mr. Rhodes cannot, I submit, being one of a very perplexing character, satisfactorily be disposed of by generalities. To formulate an answer at once definite and satisfactory, we must, descending to particulars, be more specific.

The usual and altogether conventional explanation given is the immense preponderance of strength and resources — men and material — enjoyed by one of the two contending parties. The census and the statistics of the War Department are then appealed to, and figures are arrayed setting forth the relative population and wealth, — the resources, manufactures and fighting strength of the two sides. As the result of such a showing, a certain amount of astonishment is finally expressed that the Confederacy ever challenged a conflict; and the conclusion reached is that, under all the circumstances, the only real cause for wonder is that such an unequal contest was so long sustained.

But this answer to the question will hardly bear examination. After the event it looks well, — has a plausible aspect; but in 1861 a census had just been taken, and every fact and figure now open to study was then patent. The South knew them, Europe knew them; and yet in the spring of 1861, and from Bull Run in July of that year to Gettysburg and Vicksburg in 1863, no unprejudiced observer anywhere believed

<sup>1</sup> Vol. v. p. 481.

that the subjugation of the Confederacy and the restoration of the old Union were reasonably probable, or, indeed, humanly speaking, a possibility. Mr. Gladstone, a man wise in his generation, and as a contemporaneous observer not unfriendly to the Union side, only expressed the commonly received and apparently justified opinion of all unprejudiced on-lookers, when at Newcastle, in October, 1862, he made his famous declaration in public speech that "Jefferson Davis and other leaders of the South . . . have made a nation. . . . We may anticipate with certainty the success of the Southern States so far as regards their separation from the North. I cannot but believe that that event is as certain as any event yet future and contingent can be." No community, it was argued, numbering eight millions, as homogeneous, organized and combative as the South, inhabiting a region of the character of the Confederacy, ever yet had been overcome in a civil war; and there was no sufficient reason for supposing that the present case would prove an exception to a hitherto universal rule. All this, moreover, was so. Wherefore, then, the exception? How was it that, in the result of our civil war, human experience went for nothing?

Was, then, the unexpected really due to preponderance in force? Confederate authorities have, of late, evinced a strong disposition to insist upon this as the correct and sufficient explanation. Their contention has been discussed here very recently by our associate Colonel Livermore.<sup>1</sup> In order to make out even a *prima facie* showing, the Confederate authorities have assumed, or endeavored to show, that the South never, from Sumter to Appomattox, had over 600,000 men in the aggregate in arms; and these, first and last, were opposed by, as they assert, some 2,800,000 on the part of the Union. Admitting these figures to be correct of both sides, — a large admission, and one which the analysis of Colonel Livermore has effectually disposed of, — it is none the less obvious that a force six hundred thousand strong, made up of fighting material of the most approved character, wholly homogeneous, acting on the defensive, mustered for the protection of the hearthstone, is something not easily overcome. It constitutes in itself a very large army; and one more especially formidable when the minds of those composing it are to the last degree

<sup>1</sup> Proceedings, 2d series, vol. xviii. pp. 432-444.

embittered against an opponent whose courage, as well as capacity, they held in almost unmeasured contempt. Such a force would, under the conditions existing in 1861 and 1862, unquestionably have considered itself, and been pronounced by others, quite adequate for every purpose of Southern defence.

But this estimate of Confederate field force obviously invites criticism of another character. It calls for explanation. The Confederate historians and investigators responsible for it do not seem to realize that, in the very act of advancing it, they cast opprobrium on the community they belong to and profess to honor. If this estimate is sustained, the verdict of the historian of the future cannot be escaped. He will say that if 600,000 men were all the Confederacy, first and last, could get into the field, it is clear that the South went into the struggle in a half-hearted way, and, being in it, showed but a craven soul. No effort of the government, no inducement of pride or patriotism, sufficed to get even a moiety of its arms-bearing men into the fighting line.

Such a showing on the part of the Confederacy, if established, will certainly not compare favorably with the forty years' later record of the Boers in the very similar South African struggle. Accepting the Confederate figures as correct, how do the two cases stand? Territorially the Confederacy covered some 712,000 square miles,—a region considerably (30,000 square miles) larger than the combined European areas of Austro-Hungary, Germany, France and Italy, with Belgium, Holland and Denmark thrown in. This vast space was inhabited by five million people of European descent, with three millions of Africans who could be depended upon to produce food for those of European blood in active service. In the course of the conflict, and before admitting themselves beaten, every white male in the Confederacy between the ages of seventeen and fifty capable of bearing arms was called out. Wherever necessary to preclude evasion of military duty the writ of habeas corpus was suspended, and the labor, property and lives of all in the Confederacy were by legislation of the most drastic character put at the disposal of an energetic executive. The struggle lasted four full years; and during that period the eighth part of a generation grew up, yielding its quota of arms-bearing men. Consequently, under any recognized method of computation, the Confederacy, first and last,

contained within itself some 1,350,000 men capable of doing military duty. This result, also, is in accordance with the figures of the census of 1860.<sup>1</sup> During the war the Confederate army was reinforced by over 125,000 sympathizers<sup>2</sup> from the sister slave States not included in the Confederacy. The upshot of the contention thus is, out of a population of 5,600,000 whites, only 475,000 put in an appearance in response to a many-tongued and often reiterated call to arms, — a trifle in excess of one man to each twelve inhabitants. There were, moreover, more than 500,000 able-bodied negroes well adapted in every respect for all the numerous semi-military services, — such as teamsters, servants, hospital attendants and laborers on fortifications, the call for which always depletes the number present for duty of every army.<sup>3</sup> Yet it is now maintained by Confederate authorities that all the efforts of the Richmond government, backed by every feeling of pride, patriotism, protection of the domestic roof-tree and hate of the enemy, could only induce or compel a comparatively Spartan band to turn out and strike for independence.

<sup>1</sup> The exact number, arithmetically computed on the census returns of 1860, but of course to a certain extent inaccurate and deceptive, was 1,866,500.

<sup>2</sup> An exact statistical statement of the number of sympathizers from Maryland, West Virginia, Kentucky, Tennessee, and Missouri, who, first and last, found their way into the ranks of the Confederate army, is, of course, impossible. It has been asserted that there were 316,424 "Southern men in the Northern army." This large contingent, so far as not imaginary, would naturally have come in greatest part from the "Border States," so called. It would be not unnatural to assume that these States furnished an equal number of recruits to the Confederacy; but such an assumption would, on the basis above given, be manifestly absurd. The War Records contain lists of all military organizations of the Confederate army referred to in that publication. Including regiments, battalions and companies belonging to all branches of the service, regular and provisional, these numbered 279 from the four States, Kentucky, Maryland, Missouri and Tennessee. Included in these were 238 full regiments. If these averaged, from first to last, only 600 each, they included an aggregate of 143,000 men. No less than 182 lesser organizations, battalions, and companies, and all individual enlistments, remain to be allowed for. Colonel Livermore, in view of these facts, writes me under date of October 24, 1905, "I think a larger estimate than 135,000 in the Confederate army from these States might safely be made."

<sup>3</sup> "I propose to substitute slaves for all soldiers employed out of the ranks — on detached service, extra duty, as cooks, engineers, laborers, pioneers, or any kind of work. Such details for this little army amount to more than 10,000 men. Negroes would serve for such purposes, better than soldiers. . . . The plan is simple and quick. It puts soldiers and negroes each in his appropriate place; the one to fight, the other to work. I need not go into particulars." (Gen. J. E. Johnston to Confederate Senator L. T. Wigfall, January 4, 1864. Mrs. D. G. Wright, *A Southern Girl* in '61, pp. 168, 169.)

How was it, under very similar circumstances, with the South Africans? On Confederate showing they are a braver, a more patriotic and self-sacrificing race. Two communities, the Transvaal and the Orange Free State, were engaged in a defensive struggle against Great Britain. They included within their bounds an area of 160,000 square miles,—less than a fourth of that included in the Confederacy. Their entire white population was but about 325,000, and, when the war commenced, it was estimated they could muster a force not in excess of 48,000. In countries equally defensible, the Confederates had seven whites to a square mile of territory, the Boers had two. Yet in their two years of resistance the Boers, it is computed, had 90,000 men, first and last, in actual service, or more than one in four of their population, as against the one out of twelve in the case of the Confederacy.<sup>1</sup> The preponderance of force opposed to the Boers was as five to one; the preponderance of force in the case of the Confederates, according to this latest estimate of their historians, was at most but four and a half to one.<sup>2</sup>

<sup>1</sup> To be exact, one out of each eleven and eight-tenths.

<sup>2</sup> We have census (1860) figures of the population of the States of the Confederacy at the breaking out of the Civil War; but the Confederate muster-rolls, showing actual enlistments, are confessedly defective. It is not easy to reach any accurate figures as to either the population of the two South African republics, or the number of men actually put into the field by them during the war. The "total number of officers and men of all Regular and Auxiliary [British] Forces in the South African War from the beginning to the end" is officially stated as 448,435. At the beginning of the war the Intelligence Division of the British War Office estimated the total available forces of the Transvaal at 29,917, and those of the Orange Free State at 13,104, or an aggregate of 43,021 combatants. At the close of the war, however, the total number accounted for was 72,974 Transvaal and Free State combatants, with 16,400 "Rebels," "Renegades and Foreigners," or a grand total of 89,374. The British officials content themselves with saying "it is difficult to explain the excess over the Boer official returns [preceding the conflict] unless, indeed, these purposely understated the actual strength of the burghers." (Report (1903) of "His Majesty's Commissioners appointed to Inquire into the Military Preparations and Other Matters Connected with the War in South Africa," pp. 35, 168, 168.) Excluding in each case foreign sympathizers, the two South African republics apparently put into the field as combatants one man to each four and two-tenths (4.2) of their entire population; on the claim of the Southern historians the nine States of the Confederacy put into the field one combatant to each eleven and eight-tenths (11.8) of their total white population. The relative aggregate fighting force of the Boers was to that of the British almost exactly one to five. The force of the Confederacy (600,000), as claimed by Southern authorities, to that of the Union, as stated by the same authorities (2,778,304), was about as one to four and a half.



Such an estimate is, however, as far from the mark as, were it based on actual facts, it would be discreditable to Confederate manhood. It is simply unbelievable that, measured by the proportion of fighting men to the total populations, the Boer spirit was to the spirit of the Confederacy as three is to one. The statement carries its own refutation; and the Southerners of that period were no such race of mchings, mean-spirited, stay-at-home skulkers as their self-constituted and most ill-advised annalists would apparently make them out. On the contrary, as matter of historical fact, they did both turn out in force and they fought to a finish. Undoubtedly there was, towards the close of the contest, a large desertion from the Confederate ranks. The army melted imperceptibly away. The men would not stay by the colors. When, in April, 1865, Jefferson Davis, after his flight from Richmond, met, at Greensboro', North Carolina, Joseph E. Johnston, then in command of the army confronting Sherman, a species of council was held at which the course to be pursued, in the then obviously desperate condition of affairs, was discussed. Johnston, knowing well the condition of things, and the consequent feeling among his men, when appealed to for his opinion bluntly said that the South felt it was whipped, and was tired of the war. Davis, on the other hand, was eager to continue the struggle. He insisted that in spite of the "terrible" disasters recently sustained, he would in three or four weeks have a large army in the field; and, further, expressed his confident belief that the Confederates could still win, and achieve their independence, if, as he expressed it, "our people will turn out."<sup>1</sup>

That Davis even then honestly so thought is very probable; and, looking only to the number of fighting men on each side available for service under proper conditions, he was right. And yet under existing conditions he was altogether wrong. As respects mere numbers, it is capable of demonstration that, at the close of the struggle, the preponderance was on the side of the Confederacy, and distinctly so. The Union at that time had, it is said, a million men on its muster rolls. Possibly

<sup>1</sup> Alfried, *Life of Jefferson Davis*, pp. 622-626; B. T. Johnson, *Life of Joseph E. Johnston*, p. 219; Roman, *Military Operations of General Beauregard*, vol. ii. p. 685. Roman here prints a letter, dated March 30, 1868, from J. E. Johnston to Beauregard, giving his recollections of what was said and took place at the Greensboro' meeting of April 12-13, 1861.

that number were consuming rations and drawing pay. If such was the case, acting on the offensive and deep in a vast hostile country, the Union might possibly have been able to put 500,000 men in the fighting line. On the other side, notwithstanding the heavy drain of four years of war, the fighting strength of the Confederacy at the close cannot have been less than two-thirds of its normal strength. The South should have been able to muster, on paper, 900,000 men. Such a force, or even the half of it, acting on the defensive in a region inadequately supplied with railroad facilities, — and these, such as they were, very open to attack, — should have been ample for every purpose. Texas alone had in 1860 a white population larger by nearly 100,000 than the white population of the Transvaal and Orange Free State combined in 1899.<sup>1</sup> Texas covered an area of 265,780 square miles, as against the 161,296 of the combined African republics; and this vast region was rendered accessible in 1861 by some 300 miles of railroad, or about one mile of railroad of most inferior construction to each 900 square miles of territory.<sup>2</sup> The character of the soil made heavy movement, slow and difficult always, at times impossible. In such a region and under such conditions, how could an invading force have been fed or transported, or kept open its lines of communication? Thus, on the face of the facts, Davis was right, and the South, if it chose to defend itself, was invincible.

And here we find ourselves face to face with one of the greatest of the many delusions in the popular conception of practical warfare. In his remark at the Greensboro' conference about the South "turning out," Jefferson Davis seems to have fallen into it. The South, at that stage of the conflict, simply could not "turn out." So doing was a physical impossibility. It was Napoleon who said that an army was like a serpent, it moves on its belly. In dealing with practical conditions in warfare, it has always to be borne in mind that an army

<sup>1</sup> According to the best authorities, the combined white population of the two South African states at the beginning of hostilities was approximately 323,113; the white population of Texas was returned in the census of 1860 at 421,294.

<sup>2</sup> The census of 1860 returned 807 miles of railroad in operation in Texas; in 1903 it was stated that 11,250 miles were in operation. The proportion of railroad mileage to area was, in 1860, one mile to each 865 square miles of territory; in 1903 it was one mile to each 24 square miles.

is a most complex organization ; and its strength is measured and limited not by the census number of men available, but the means at hand of arming, equipping, clothing, feeding and transporting those men. Mere numbers in excess of those means constitute not strength, but an encumbrance. The supernumeraries are in the way ; they not only tumble over each other, but they aggravate the shortages. It was so with the Confederate army in the last stages of the Civil War. The men were there ; nor did the leaders want more just so long as they were unable to arm, clothe, feed and transport those they already had. Both Lee's army and Johnston's army melted away as the alternative to starvation. Under such circumstances, if all the men in the South had flocked to the colors it would only have made matters worse ; the rations and ammunition would have given out so much the sooner. The artillery and commissariat trains could not be hauled when the horses were dead of inanition. In other words, after January, 1865, the possibility of organized resistance on the part of the Confederacy no longer existed. The choice lay between surrender and disbandment ; or, as General Johnston subsequently wrote : — " We, without the means of purchasing supplies of any kind, or procuring or repairing arms, could continue this war only as robbers or guerillas." <sup>1</sup>

The next question is, — How had this result been brought about ? How did it happen that five millions of people in a country of practically unlimited extent, and one almost invulnerable to attack, were physically incapable of further organized resistance ? How did they come to be so devoid of arms, food, clothing and means of transport ? In other words, what is the correct answer to the query suggested by Mr. Rhodes ? He certainly does not give it ; but, perplexing as the question is, a plausible answer can surely at this late day at least be approximated.

Lord Bacon long ago, in some passage I well remember but have not been able now to find, compares the judgment passed on current events by foreign nations with that of posterity. We may there, as he points out, find the necessary detachment and sense of proportion ; also that absence of prejudice and passion which, to some extent, makes good

<sup>1</sup> Johnston to Beauregard, March 30, 1863 : Roman, Beauregard, vol. ii. p. 665.

deficiencies of knowledge. Turning over the pages of an English periodical lately, I came, in its issue for July, 1866, across a somewhat elaborate paper entitled "The Principles and Issues of the American Struggle."<sup>1</sup> Philosophizing over the outcome of the struggle rather more than a year after it had been brought to a close, the writer of the article thus answered Mr. Rhodes's query some thirty-eight years in advance of the time when Mr. Rhodes put it:—

"By dint of obstinate endurance — by dint of illimitable paper money and credit — by dint of foreign soldiers from Ireland and Germany who swarmed into the country, allured by bounties on enlistment varying from £100 to £200 sterling per head — by dint of sacrificing general after general, however brave and able, who could not gain a victory — by dint of a blockade of the sea-board, producing in due time a famine, or something very like it, through the most fertile portions of the South; and last, but by no means least, by dint of the cowardice or incapacity of the British government, that refused to unite with that of France in acknowledging the independence of the South — the Northern people conquered their Southern brethren."

Here, then, is a foreign contemporaneous explanation, and one, in some respects, close to the mark. Yet it is not wholly satisfactory. It again is too general; for, though the writer is specific enough, he generalizes in his specification, omitting nothing that suggests itself, and emphasizing everything about equally. Further elimination and a more severe analysis are necessary.

Six contributing causes are specified. Let us, through the perspective of forty years, see which still stand as material. The initial two, "obstinate endurance" and "illimitable paper dollars and credit," we may pass over. The first goes without saying; and the last would not in itself have sufficed to accomplish the end sought in 1865 any more than it had sufficed to accomplish the end then sought, when an advantage in the hands of Great Britain in the struggle that ended in 1783. The third count also cuts no considerable figure in a revised summary. The backbone of the Union army at the close of the struggle, as at its beginning, was made up of Americans. The number of foreigners, Irish or German, drawn to the country by the temptation of bounties may have

<sup>1</sup> Blackwood's Edinburgh Magazine, July, 1866, vol. c. p. 31.

been considerable ; but, as an advantage on the side of the Union, it was far more than counterbalanced by the drastic conscription enforced throughout the Confederacy. Three factors now only remain for consideration. One of these, the sacrificing of those leaders who failed to win victories, is a feature of all warfare, and in no way peculiar to our civil strife. As a factor in results it was not peculiarly in evidence there. The allusion is apparently to McClellan ; but, in his case, history, and the coming to light of historical material, have more than justified the course finally pursued by Lincoln and Stanton. Of the two remaining factors of success, — the blockade and absence of foreign intervention, — the last may be left out of consideration. It is useless to discuss historical problems from the point of view of what would have happened if something had occurred which in point of fact never did occur. On this foreign and contemporaneous judgment of conditions we are thus through elimination brought down to one factor, the blockade, as the controlling condition of Union success. In other words, that success was made possible by the undisputed naval and maritime supremacy of the North. Cut off from the outer world and all exterior sources of supply, reduced to a state of inanition by the blockade, the Confederacy was pounded to death.

Or, to put the proposition in yet another form, in the game of warfare, maritime supremacy on the part of the North — what Captain Mahan has since developed historically as the Influence of the Sea Power — even more than compensated for the military advantage of the defensive, and its interior strategic lines, enjoyed by the South. Such being the case, the greater command by one party to the conflict of men, supplies, munitions and transportation worked its natural result.

Unquestionably much could be said in support of this contention. More than plausible, it fairly explains an outcome otherwise inexplicable now, as contrary to all foreign expectation then. Without, however, going into any elaborate discussion of the arguments for and against it as a satisfactory historical postulate, but for present purposes accepting it as such, a distinct grasp and full recognition of the advantage in the struggle pertaining to the mastery of the sea is to my mind the most marked deficiency in Mr. Rhodes's treatment

of the outcome of the conflict. In this respect his narrative is lacking in a proper sense of proportion. As compared with the space devoted to the movements on land, he fails to give to the sea operations the emphasis properly belonging to them. Towards the close of that portion of his fifth volume devoted to a summary of the preceding narrative, Mr. Rhodes, it is true, does incidentally say that the "work of the United States navy was an affair of long patience unrelieved by the prospect of brilliant exploits; lacking the incitement of battle, it required discipline and character only the more. But the reward was great; for the blockade was one of the effective agencies in deciding the issue of the war."<sup>1</sup> This is a somewhat faint recognition of services really decisive; but, such as it is, it may pass. As one reads Mr. Rhodes's narrative, however, it would hardly be supposed that a blockade existed at all, much less that it entered into the struggle as the essential pivot on which turned many of the most important of those land movements so fully described. For instance, an undisputed maritime supremacy made possible Sherman's march to the sea.

To this general criticism, an exception must be made in the case of the action between the Monitor and the Merrimac. To that a sufficiency of space (five pages) is given; for, obviously, on its result depended McClellan's strategy. Besides being temptingly dramatic in itself, it had to be dealt with in connection with land operations. But the capture of Hatteras Inlet (August 26, 1861) and of Port Royal (November 7, 1861) are incidentally mentioned in part of a twenty-three line paragraph, though strategically they were, and subsequently proved, of the utmost consequence, distinctly foreshadowing that process of devitalization as a result of which the Confederacy ultimately collapsed. Again, the taking of New Orleans, from every point of view one of the most important events of the war as well as one of its most striking episodes, — a knife-thrust in the very vitals of the Confederacy, — is disposed of in two pages; the sinking of the Alabama by the Kearsarge is truly enough referred to "as of no moment towards terminating the war"; but its moral effect in Europe at a critical period was very memorable. Finally, to assert that the achievements of Admiral Farragut con-

<sup>1</sup> Vol. v. p. 399.

tributed not less than those of General Sherman to the downfall of the Confederacy may or may not be an exaggeration; but, on the part of the navy, it may safely be claimed that the running of the forts at the mouth of the Mississippi, and the consequent fall of New Orleans, was as brilliant an operation, and one as triumphantly conducted, as the march through Georgia. It struck equal dismay into the hearts of the Southern leaders. Yet the name of Farragut appears but once in the index of Mr. Rhodes's fifth volume, in which he summarizes the war; and that once is in connection with Andrew Johnson's famous "swinging-round-the-circle" performance. Twelve lines of text are devoted to the battle of Mobile Bay, while two lines only are made to suffice for the capture of Wilmington, which closed the last inlet of the Confederacy, hermetically sealing it. Here, then, from Hatteras Inlet to Fort Fisher, — between August, 1861, and January, 1865, — is a consecutive series of operations, prime factors in the final result, and they are disposed of in ninety lines of a narrative covering 1,350 pages. About a sixth of one per cent of the entire space is given to them. With Hilton Head, Hatteras Inlet, New Orleans, Hampton Roads, Mobile Bay, Wilmington and Cherbourg blazing imperishably on the record, Mr. Rhodes incidentally remarks that the work of the navy was "unrelieved by the prospect of brilliant exploits"! Nor do the names of those identified with our naval triumphs thunder in the general index. Judged by that test, six lines suffice for the allusions to Farragut, and five for those to Porter; while four solid columns are judged scarcely adequate for Grant, and two for Sherman. This, I submit, is disproportionate. In some future edition an entire chapter for each year would not be too much to devote to an account of the operations of that arm of the Union service which on the sea counterbalanced that advantage of interior lines on the land the Confederates so confidently counted upon, and of which all the military strategists or critics, whether domestic or foreign, so everlastingly wrote. Throttling the Confederacy throughout, the navy was also a spear-thrust in its back.

Passing to another topic of scarcely less importance, the sense of correct proportion is again at fault. The Confederacy did not go into the conflict unadvisedly. On the contrary, its leaders gave what at the time they considered full considera-

tion to all the factors on either side essential to success.<sup>1</sup> As was apparent in the outcome, they reckoned without their host; but, none the less, they did reckon. Unfortunately for it, the Southern community in the years prior to 1861 was phenomenally provincial. Judged by its literature and the published utterances of its men and women, particularly its women, it seemed — intellectually, socially, economically and physically — to be conscious only of itself. This characteristic, among many other phases of development, was inordinately and most offensively apparent in an undervaluation of its prospective opponent both for character and courage, and in an overvaluation of the importance of the South as a commercial world-power. As respects the undervaluation of the prospective opponent, the mental condition of the South in 1861 has since been very tersely stated by General Bradley T. Johnson, himself a Confederate, though born in Maryland,—at once jurist and veteran:—“The Southern people for several generations had trained themselves into a vainglorious mood toward the Northern men. They believed that they were unconquerable by the North, and that the men of the North were not their physical nor mental equals.”<sup>2</sup> And, reviewing the conflict and outcome through the vista of thirty years, this typical Southron reached a conclusion, bearing directly on the query suggested by Mr. Rhodes:—“The Confederate States were not crushed by overwhelming resources nor overpowering numbers. They were *out-thought* by the Northern men.”<sup>3</sup> As respects the other great factor of self-deception, the overvaluation of itself by the South as a commercial world-power, the mere mention of that delusion recalls to memory the once familiar, now quite forgotten, postulate,—“Cotton is

<sup>1</sup> For instance, in the very matter of a blockade, as an incident to war, James H. Hammond, then in the Senate from South Carolina, in a speech delivered in 1858, and presently referred to, thus summarily dismissed the idea as an absurdity: “We have three thousand miles of continental sea-shore line so indented with bays and crowded with islands that when their shore lines are added, we have twelve thousand miles. . . . Can you hem in such a territory as that? You talk of putting up a wall of fire around eight hundred and fifty thousand square miles so situated! How absurd.” (Selections from Letters and Speeches of James H. Hammond, pp. 311, 312.)

<sup>2</sup> “Vulgar, fanatical, cheating Yankees — hypocritical, if as women they pretend to real virtue; and lying, if as men they pretend to be honest.” (W. H. Russell, *My Diary North and South*, chap. xix.)

<sup>3</sup> *Memoir of the Life and Public Service of Joseph E. Johnston* (1891), pp. 60, 61.



King!" To the South its infatuation on this point was the fruitful mother of calamity; for the commercial supremacy of cotton, accepted as a fundamental truth, was made the basis of political action. The unquestioning faith in which that patriarchal community cherished this belief has now passed out of memory, and the statement of it savors of exaggeration. As a matter of fact it does not admit of exaggeration. For instance, what modern historical presentation could be so framed as to exceed in strength, broadness and color the following from a speech delivered in the United States Senate, March 4, 1858? James H. Hammond, representing South Carolina, then said:—

"But if there were no other reason why we should never have war, would any sane nation make war on cotton? Without firing a gun, without drawing a sword, should they make war on us we could bring the whole world to our feet. The South is perfectly competent to go on one, two, or three years without planting a seed of cotton. . . . What would happen if no cotton was furnished for three years? I will not stop to depict what every one can imagine, but this is certain: England would topple headlong and carry the whole civilized world with her, save the South. No, you dare not make war on cotton. No power on earth dares to make war upon it. Cotton is King. Until lately the Bank of England was king, but she tried to put her screws as usual, the fall before the last, upon the cotton crop, and was utterly vanquished. The last power has been conquered. Who can doubt, that has looked at recent events, that cotton is supreme?"<sup>1</sup>

It would not be difficult to multiply almost indefinitely utterances like the above; but for the purpose in hand this one will suffice. Intensely provincial, the idea was vulgar; in the jargon of the Stock Exchange the South thought she had a corner on Cotton, and, if she so willed it, the World must walk up to her counter, and settle on any terms she saw fit to prescribe! As Russell, of the London Times, observed,— "These tall, thin, fine-faced Carolinians are great materialists. Slavery perhaps has aggravated the tendency to look at all the world through parapets of cotton-bales and rice-bags, and though more stately and less vulgar, the worshippers here are not less prostrate before the 'almighty dollar' than the Northerners."<sup>2</sup>

<sup>1</sup> Selections from the Letters and Speeches of James H. Hammond (New York, 1866), pp. 816, 817.

<sup>2</sup> My Diary North and South, chap. xv.

Thus, in complete provincialism and childlike faith a community was willing to venture, and actually did venture, life, fortune and sacred honor on its contempt for those composing the largest part of the community of which they were themselves but a minority, and on the soundness of a commercial theory. In regard to the extent and implicit character of the faith held on both these points no better witness could testify than Dr. William H. Russell, the once famous Times Crimean correspondent just referred to. Russell certainly had no prejudice against the South, or Southern men. On the contrary, he liked both; while he did not take kindly to the North as a whole, or to its people. He was, however, a foreign observer with a remarkable faculty for vivid description, and here to take notes and to portray things as they appeared. He was in South Carolina immediately after the bombardment of Sumter, and there mixed freely with the exponents of public sentiment. In his Diary he thus describes what he heard on the subject of Southern superiority and cotton supremacy, — he is recording what occurred at the Charleston Club on the evening of April 16, 1861, ex-governors of the State, senators, congressmen, and other prominent South Carolinians being of the company: —

“We talked long, and at last angrily, as might be between friends, of political affairs.

“I own it was a little irritating to me to hear men indulge in extravagant broad menace and rodomontade, such as came from their lips. ‘They would welcome the world in arms with hospitable hands to bloody graves.’ ‘They never could be conquered.’ ‘Creation could not do it,’ and so on. I was obliged to handle the question quietly at first — to ask them ‘if they admitted the French were a brave and warlike people!’ ‘Yes, certainly.’ ‘Do you think you could better defend yourselves against invasion than the people of France?’ ‘Well, no; but we’d make it pretty hard business for the Yankees.’ ‘Suppose the Yankees, as you call them, come with such preponderance of men and *matériel*, that they are three to your one, will you not be forced to submit?’ ‘Never.’ ‘Then either you are braver, better disciplined, more warlike than the people and soldiers of France, or you alone, of all the nations in the world, possess the means of resisting physical laws which prevail in war, as in other affairs of life.’ ‘No. The Yankees are cowardly rascals. We have proved it by kicking and cuffing them till we are tired of it; besides, we know John Bull very well. He will make a great fuss about non-interference at first, but

when he begins to want cotton he'll come off his perch.' I found this was the fixed idea everywhere. The doctrine of 'cotton is king' — to us who have not much considered the question a grievous delusion or an unmeaning babble — to them is a lively all-powerful faith without distracting heresies or schisms."<sup>1</sup>

The following day, Dr. Russell was one of a party on an excursion down Charleston harbor, visiting Forts Sumter and Moultrie. In the course of the trip he met, among others, L. T. Wigfall, the notorious Texan who had recently resigned a seat in the Senate of the United States to throw in his fortunes with the Confederacy. Dr. Russell says in his Diary, April 17: —

"For me there was only one circumstance which marred the pleasure of that agreeable reunion. Colonel and Senator Wigfall, who had not sobered himself by drinking deeply, in the plenitude of his exultation alluded to the assault on Senator Sumner as a type of the manner in which the Southerners would deal with the Northerners generally, and cited it as a good exemplification of the fashion in which they would bear their 'whipping.'"<sup>2</sup>

A day or two later, Mr. Bunch, the British consul at Charleston, who not long afterwards achieved a most unhappy diplomatic notoriety, entertained Dr. Russell at dinner. It was a "small and very agreeable party," but of the talk at that table the guest recorded: —

"It was scarcely very agreeable to my host or myself to find that no considerations were believed to be of consequence in reference to Eng-

<sup>1</sup> My Diary North and South, chap. xiii. Later, April 19, the Times correspondent called on the Governor of the State, F. W. Pickens. Of him he wrote: — "The Governor writes very good proclamations, nevertheless, and his confidence in South Carolina is unbounded. If we stand alone, sir, we must win. They can't whip us." (*Ibid.* chap. xvi.)

<sup>2</sup> A month later Mr. Wigfall received, through his wife, from a correspondent in Providence, Rhode Island, an ardent sympathizer with the Confederacy, a warning curiously characteristic of the period, and most suggestive of the estimate in which the Northern community was then held by those impregnated with Southern ideals: —

"I think, however, that you at the South are wrong to undervalue the courage and resources of the Northern States. They are no doubt less accustomed to the use of firearms — there are very few who know how to ride, and they are less fiery in their impulses. They are less disposed to fight, but they are not cowardly where their interests are concerned and will *fight for their money*. Where their property is at stake they will not hesitate to risk their lives. . . . I would not advise you of the South to trust too much in the idea that the Northerners will not fight; for I believe they will, and their numbers are overwhelming." (Mrs. D. G. Wright, *A Southern Girl in '61*, pp. 52, 53.)

land except her material interests, and that these worthy gentlemen regarded her as a sort of appanage of their cotton kingdom. 'Why, sir, we have only to shut off your supply of cotton for a few weeks, and we can create a revolution in Great Britain. There are four millions of your people depending on us for their bread, not to speak of the many millions of dollars. No, sir, we know that England must recognize us,' &c.

"Liverpool and Manchester have obscured all Great Britain to the Southern eye. I confess the tone of my friends irritated me."

He next visited the leading merchants, bankers, and brokers:—

"In one office I saw an announcement of a company for a direct communication by steamers between a southern port and Europe. 'When do you expect that line to be opened?' I asked. 'The United States cruisers will surely interfere with it.' 'Why, I expect, sir,' replied the merchant, 'that if those miserable Yankees try to blockade us, and keep you from our cotton, you'll just send their ships to the bottom and acknowledge us. That will be before autumn, I think.' It was in vain I assured him he would be disappointed. 'Look out there,' he said, pointing to the wharf, on which were piled some cotton bales; 'there's the key will open all our ports, and put us into John Bull's strong box as well.'"

A guest shortly after on the island plantation of Mr. Trescot, he there met Edmund Rhett, a member of a family prominent in South Carolina public life. The Rhett dwelling house and plantation were on Port Royal Island, a few miles only from the smaller island on which Mr. Trescot dwelt. They thus were neighbors. The stranger and guest describes the South Carolinian as "a very intelligent and agreeable gentleman," but from his lips also came the same old story. "'Look,' he said, 'at the fellows who are sent out by Lincoln to insult foreign courts by their presence.' I said that I understood Mr. Adams and Mr. Dayton were very respectable gentlemen, but I did not receive any sympathy; in fact, a neutral who attempts to moderate the violence of either side, is very like an ice between two hot plates. Mr. Rhett is also persuaded that the Lord Chancellor sits on a cotton bale. 'You must recognize us, sir, before the end of October.'"<sup>1</sup>

<sup>1</sup> This meeting was on April 28. A few days only more than six months later both the Rhetts and Mr. Trescot hurriedly abandoned their homes, imme-

As respects the outcome of what may well enough be called the South's cotton campaign, Mr. Rhodes's narrative seems to me deficient. That campaign was in fact the most far-reaching and, in world effect, the most important inaugurated and carried out by the Confederacy; and in its result they sustained complete and disastrous defeat,—a defeat which entailed on them in the midst of the contest and in presence of the enemy, an entire change of front, economical, financial and diplomatic. This nowhere appears in Mr. Rhodes's narrative; and yet on this phase of the struggle both Confederate finance and Confederate diplomacy hinged. And here again the blockade comes to the front.

Had the theory as respects the potency of cotton on which the South went into the war been sound, the blockade would have proved the Confederacy's most potent ally; for the blockade shut off from Europe its supply of cotton as it could have been shut off by no other possible agency. In so far the government of the Union played the game of the Confederacy, and played it effectively. In the early days of the struggle, they talked at Richmond of an export duty on their one great staple, and of inhibiting its outgo altogether; the blockade made any action of this nature quite unnecessary. Through the blockade the cotton-screw, so to speak, was applied to the fullest possible extent. Nor was the overthrow of the potentate brought about easily. He was well entrenched, and dethroning him entailed on the commercial world one of the most severe trials it has ever been called upon to pass through. In this phase of the struggle Lancashire was the field of central battle; and there, as the result of a struggle extending through eighteen months, the Confederate ikon was tumbled down. The catastrophe was complete; and the whole Southern programme, economical, fiscal, and, at last, strategic, where it did not utterly collapse, underwent great change. The summer of 1862 marked the crisis; before that, as Mr. Rhodes truly states,<sup>1</sup> the Confederate policy was to keep cotton at home, and by withholding it to compel foreign recognition; after that, the one effort was to get it to market with a view to its

diately after the bombardment and capture of the forts at Hilton Head, November 7, 1861, by the expedition under command of Captain, afterwards Admiral, Dupont. All of the South Carolina sea-islands, as they were called, were thenceforth occupied by the Union forces.

<sup>1</sup> Vol. v. p. 382.

conversion into ships, munitions of war and necessities of life. But Mr. Rhodes, in my judgment, disposes of this crucial Confederate defeat altogether too lightly. Mr. Rhodes says: "As we have seen, [England and France] when they could not get cotton from America, got it elsewhere." I do not know on what authority this statement is made; but it is not in accordance with the facts. In the early months of 1861 the estimated weekly consumption of cotton in Great Britain was 50,000 bales; at the close of 1862 it had fallen to 20,000 bales, inferior in weight as well as quality. Indeed so bad was the quality that its manufacture was destructive to machinery. Of this greatly reduced quantity, moreover, a considerable portion—some twenty per cent—was the American product, run through the blockade. So great was the dearth that in September, 1862, the staple, which two years before had sold in Liverpool for fourpence a pound, had gone up until it touched the unheard-of price of half a crown. Cotton simply was not forthcoming from any quarter, and the commercial world was everywhere in search of substitutes for it.

To this subject, from my point of view, Mr. Rhodes might well have devoted a chapter. As it stands, it is a case of anticlimax; introduced with a loud blast of trumpets, the potentate simply vanishes,—so to speak, he evaporates. How, and what became of him, nowhere appears. Judging by Mr. Rhodes's narrative, one would infer that it was a case of insensible dissolution; but, as an historical fact, it was very far otherwise. Not all that Mr. Hammond and others predicted, or that the Confederate leaders confidently looked to see happen, actually did happen; but, none the less, the process involved a commercial and industrial disturbance of the first magnitude, and the most complete and disastrous defeat sustained by the Confederacy in the whole course of the war. The episode, too, carried with it a most instructive historical lesson as to the danger even nations incur from indulging with undue confidence in a theory,—in other words, the old South furnished in 1860-61 a very striking illustration of the homely truth that the evils incident to what is humanly known as a condition of mental "cocksureness" are not confined to individuals. In 1860 that whole Southern community was socially and economically daft. But no people and no

period are exempt from such states of delusion. Within the memory of those now living this country has been subject to a dozen such; in the eyes of not a few it is to-day suffering under more than one. Fortunately, so far as deep water and destruction are concerned, the experience of the South was exceptional. It was a dream; but a dream from which the awakening must have been terribly bitter. The first indication I have found of a recurrence to common-sense was in a speech made by William L. Yancey at an impromptu reception given him in the rotunda of the St. Charles Hotel at New Orleans, on his return in March, 1862, from that wholly abortive mission to Europe on which he had been sent by Jefferson Davis a year before. He had learned something in the course of his travels, and he then significantly said: "It is an error to say that 'Cotton is King.' It is not. It is a great and influential power in commerce, but not its dictator." A little foreign travel had educated that particular Southern prophet out of some of his provincialism. Almost immediately his words found an echo in Richmond, a Louisiana Senator there sadly declaring in debate, "We have tested the powers of King Cotton and have found him to be wanting."<sup>1</sup> While three months later, in June, 1862, Alexander H. Stephens enunciated too late the correct principle. They had been possessed with the idea, he told them, that "cotton was a political power. There was the mistake,—it is only a commercial power."<sup>2</sup>

Passing to the other topics in the treatment of which the narrative of Mr. Rhodes, though sufficiently full, seems from my point of view open to criticism, I next refer to his account of Sherman's famous march to the sea in November, 1864, and

<sup>1</sup> Appleton's Annual Cyclopædia, 1862, p. 261, quoted by Rhodes, vol. v. p. 411.

<sup>2</sup> What is known as the alternative Confederate fiscal policy is referred to, and discussed, by Mr. Rhodes (vol. v. pp. 381, 382). There is in the appendix to Roman's Life of Beauregard (vol. ii. pp. 674-680) an elaborate letter on this subject written by Mr. Stephens to Beauregard in 1862, seventeen years after the close of the struggle. In the letter he quoted at length from a speech made by him at Crawfordville, Georgia, in the fall of 1862. He then said: "The great error of those who supposed that King Cotton would compel the English ministry to recognize our government and break the blockade, and who will look for the same result from the total abandonment of its culture, consists in mistaking the nature of the kingdom of the potentate. His power is commercial and financial, not political."

Grant's advance on Richmond in May, 1864. Mr. Rhodes quotes General Sherman as saying in his *Memoirs*: "Were I to express my measure of the relative importance of the March to the Sea and of that from Savannah northward, I would place the former at one and the latter at ten, or the maximum." We are then told, in a foot-note to the same page,<sup>1</sup> that General Schofield was of a different opinion. "Considered," he said in his *Forty-six Years* (p. 348), "as to its military results, Sherman's march cannot be regarded as more than I have stated — a grand raid. The defeat and practical destruction of Hood's army in Tennessee was what paved the way to the speedy termination of the war, which the capture of Lee by Grant fully accomplished; and the result ought to have been essentially the same as to time if Sherman's march had never been made."

On this point Mr. Rhodes expresses no opinion. He wisely leaves it for the military critics to fight it out among themselves. I can, however, say that at the time, and in Europe, this view of the relative importance of operations did not obtain. Far from it. Schofield, of course, refers to Sherman's march north from Savannah, through the Carolinas; but I gravely doubt whether his estimate of the strategic importance of that march, or Sherman's estimate of its relative importance as compared with that through Georgia, are either of them correct. While, so far as the fall of the Confederacy was concerned, both exercised great influence on the outcome, from my point of view I incline to the belief that the march through Georgia was the more potent in influence of the two. It was so for an obvious reason. In war, as in most other affairs in which mankind gets itself involved, moral effects count for a good deal; and especially is this so with somewhat volatile and excitable communities, such as that inhabiting the South unquestionably was. But, so far as Europe was concerned, it is safe to assert that no other operation of the entire war was productive of a moral effect in any way comparable with that caused by the march to the sea. Indeed, coming as it did and when it did, it is not too much to say it was an epochal event in that it marked the turning of the tide of European and especially of English opinion as respects the United States and things American.

<sup>1</sup> Vol. v. p. 107.



James Russell Lowell wrote a well-remembered essay "Upon a Certain Condescension in Foreigners"; and, during the earlier stages of the Civil War, this well-understood "condescension" resolved itself quite naturally into a studied tone of scorn, in no way veiled. The change which has since become so marked in this respect began with Sherman's march. That march in a way smote the foreign imagination; and the whole course of subsequent events, down to the treaty negotiated last summer at Portsmouth, has served to promote what has now developed into a revolution in tone and estimate. As every one realizes, Lowell's "foreigner" has undergone a total change; his "condescension" is of the past. The beginning of that change I had occasion to trace through the utterances of the European press. Up to the autumn of 1864, and the re-election of Lincoln, the general tone of the European and especially of the English periodicals and papers was one of exaggerated admiration for Confederate valor and leadership; while, on the other hand, the leadership and courage of the Union side were referred to with studied contumely. Sometimes, however, the contempt was equally distributed over both parties to the fray. The famous remark attributed at least to Von Moltke is still remembered, that he "did not have time to devote to the study of the combats of two armed mobs." But a much more curious and illustrative utterance was one of Charles Lever, the Irish military novelist, who, most unfortunately for himself, chose as the time and place in which to deliver himself the January Blackwood's of 1865. The paper was, of course, prepared some time before. By mere ill luck, however, it appeared in London just as Sherman put in his appearance at Savannah. In this paper Mr. Lever undertook to compare the American combatants to two inmates of a lunatic asylum playing chess. They went through moves similar to those of chess, but without the slightest comprehension of the game. He then goes on,—"Now, does not this immensely resemble what we are witnessing this moment in America? There are the two madmen engaged in a struggle, not one single rule nor maxim of which they comprehend. Moving cavalry like infantry, artillery like a wagon train, violating every principle of the game, till at length one cries Checkmate, and the other, accepting the defeat that is claimed against him, deplores his mishap, and

sets to work for another contest. . . . Just however, as I feel assured, nobody who ever played chess would have dignified with that name the strange performance of the madmen, so am I convinced that none would call this struggle a war. It is a fight — a very big fight, if you will, and a very hard fight too, but not war.”<sup>1</sup> There is much more to the same effect, the intensely ludicrous side of which at just that juncture the genial Irishman himself subsequently appreciated most keenly. What I have quoted will, however, suffice for the purpose of present illustration. At the very time Mr. Lever was thus rashly committing himself in cold print, General Sherman was entering on his famous march; and, while that march was in progress, the daily tone of the London newspapers was pitched in much the same key as that of Mr. Lever’s lucubration in the forthcoming number of *Blackwood*. The outcome of the move of the “Yankee” General was looked for with a contemptuous interest; it clearly was not war; a hare-brained effort, dictated probably by desperation, it could end only in disaster; most probably it was an ill-considered attempt at getting out of an impossible military situation. But one day the tidings came that the heads of Sherman’s columns had emerged on the sea-coast, that they had made short work of the forces there found to oppose them, and that Savannah had fallen. The army and the navy had struck hands! The announcement seemed absolutely to take away the breath of the foreign critics, military and journalistic. A brilliant strategic blow had been struck; an operation, the character of which could neither be ignored nor mistaken, had been triumphantly carried through to a momentous issue; the thrust — and such a thrust! — had penetrated the vitals of the Confederacy; — what next? From that moment the end was plainly foreshadowed. Europe recognized that a new power of unknown strength, but undeniable military capacity, was thenceforth to be reckoned with.

To one feature, and one feature only, in Mr. Rhodes’s account of this memorable war episode, do I care to call attention. The historian, I fear, passes somewhat gently over the pronounced vandalism which characterized Sherman’s operations

<sup>1</sup> Cornelius O’Dowd upon Men and Women and other Things in General: Part XII., “The Fight over the Way.” *Blackwood’s Edinburgh Magazine*, vol. xcvi. pp. 57–59.

from Atlanta to Savannah, and yet more from Savannah to Raleigh. It is referred to, indeed, both generally, and, more especially, in connection with what occurred in South Carolina, reaching a climax at Columbia; but the treatment is, notwithstanding, distinctly perfunctory.<sup>1</sup> The other, and I very much fear, the truer and more realistic, side is portrayed in sufficient detail, and with reference to chapter and verse, in General Bradley T. Johnson's *Life of Joseph E. Johnston*.<sup>2</sup> It there appears what Sherman meant by his famous aphorism — "War is Hell." The truth is that in 1864-65 the conflict had lasted too long for the patience of the combatants, and the defence of the South had been very stubborn. The rules and limitations of civilized warfare, so far as non-combatants were concerned, were no longer observed, and Sherman's advancing army was enveloped and followed by a cloud of irresponsible stragglers, known throughout the country as "bummers," who were simply for the time being desperadoes bent on pillage and destruction, — subject to no discipline, amenable to no law. They were looked upon then by the North, weary of the war, with a half-humorous leniency; but, in reality, a band of Goths, their existence was a disgrace to the cause they professed to serve. For a Northerner it is not a pleasant admission, but the historic, if ungrateful, truth is that, as respects what are euphemistically termed the "severities" of warfare, the record made by our armies during the latter stages of the conflict will not bear comparison with that of the Army of Northern Virginia while in Pennsylvania during the Gettysburg campaign. Lee's memorable general order (No. 73) dated at Chambersburg, Pennsylvania, June 27, 1863, is well known, and need not be quoted; but there was truth in the reference to those opposed to him when in it he said, "No greater disgrace could befall the army, and through

<sup>1</sup> "It seems probable that the inhabitants of North Carolina were better treated than had been those of the sister State. Nevertheless correction of the bad habits engendered in the soldiery by the system of foraging upon the country was only gradually accomplished and the irregular work of stragglers was not circumscribed by State boundary lines. . . . The men who followed Sherman were probably more humane generally than those in almost any European army that marched and fought before our Civil War, but any invading host in the country of the enemy is a terrible scourge. On the other hand there is considerable Southern evidence of depredations committed by Wheeler's cavalry." (Vol. v. pp. 102, 104.)

<sup>2</sup> Chapters xi., xii., xiii. pp. 119-225.

it our whole people, than the perpetration of barbarous outrages upon the unarmed and defenceless, and the wanton destruction of private property, that have marked the course of the enemy in our own country. It will be remembered that we make war only upon armed men." It was my fortune to be a participant in the Gettysburg campaign,<sup>1</sup> and, forty years later, I was glad when occasion offered to bear my evidence to the scope and spirit in which Lee's order was at the time observed by his followers. "I doubt if a hostile force ever advanced into an enemy's country, or fell back from it in retreat, leaving behind it less cause of hate and bitterness than did the Army of Northern Virginia in that memorable campaign."<sup>2</sup> Our own methods during the final stages of the conflict were sufficiently described by General Sheridan, when, during the Franco-Prussian War, as the guest of Bismarck, he declared against humanity in warfare, contending that the correct policy was to treat a hostile population with the utmost rigor, leaving them, as he expressed it, "nothing but their eyes to weep with over the war."<sup>3</sup>

<sup>1</sup> Proceedings, 2d series, vol. xiii. p. 106.

<sup>2</sup> Speech at thirteenth annual dinner of the Confederate Veterans Camp of New York, at the Waldorf-Astoria, January 26, 1903; the annual Confederate commemoration of General Lee.

<sup>3</sup> "Thursday, September 8, 1870. — The Chancellor gives a great dinner, the guests including the Hereditary Grand Duke of Mecklenburg-Schwerin, Herr Stephan, the Chief Director of the Post Office, and the three Americans. Amongst other matters mentioned at table were the various reports as to the affair at Bazeilles. The Minister said that peasants could not be permitted to take part in the defence of a position. Not being in uniform, they could not be recognized as combatants — they were able to throw away their arms unnoticed. The chances must be equal for both sides. Abeken considered that Bazeilles was hardly treated, and thought the war ought to be conducted in a more humane manner. Sheridan, to whom MacLean has translated these remarks, is of a different opinion. He considers that in war it is expedient, even from the political point of view, to treat the population with the utmost rigour also. He expressed himself roughly as follows: 'The proper strategy consists in the first place in inflicting as telling blows as possible upon the enemy's army, and then in causing the inhabitants so much suffering that they must long for peace, and force their Government to demand it. The people must be left nothing but their eyes to weep with over the war.' Somewhat heartless, it seems to me, but perhaps worthy of consideration." (Bismarck: Some Secret Pages of his History, Busch, vol. ii. p. 127.) To the same effect General Sherman subsequently declared: "I resolved to stop the game of guarding their cities, and to destroy their cities. We were determined to produce results, and now what were those results? To make every man, woman and child in the South feel that if they dared to rebel against the flag of their country they must die or submit."

The subsequent influence on the American army of General Sherman's famous

In other words, a veteran of our civil strife, General Sheridan, advocated in an enemy's country the sixteenth-century practices of Tilly, described by Schiller, and the later devastation of the Palatinate policy of Louis XIV., commemorated by Goethe. In the twenty-first century, perhaps, partisan

"War is Hell" aphorism, and its illustration in his campaigns in Georgia and the Carolinas, is deserving of notice.

Lieutenant-General S. B. M. Young spoke to the same effect as General Sheridan, at Prince Bismarck's table, at a public dinner given by the New York Chamber of Commerce at the Arlington Hotel, Washington, in honor of the representatives of certain foreign commercial bodies then in America, November 13, 1902. General Young then pronounced "all the army's defamers densely ignorant of what constitutes the laws of war," and added, "To carry on war, disguise it as we may, is to be cruel, it is to kill and burn, burn and kill, and again kill and burn." If the word "humane" could be applied to war, he would define it as one "fast and furious and bloody from the beginning." He added, "When war has been decided on by our nation I agree with the German Emperor's sentiments, and believe that the American army should leave such an impression that future generations would know we had been there." (N. Y. Tribune, November 14, 1902.)

The utterance of the German Emperor here referred to was his famous speech at Bremenhaven, July 27, 1900, to the first contingent of his army then embarking for China. He said: "When you meet the foe you will defeat them. No quarter will be given; no prisoners will be taken. Let all who fall into your mercy be at your mercy. Just as the Huns a thousand years ago, under the leadership of Attila, gained a reputation in virtue of which they still live in historical tradition, so may the name of Germany become known in such a manner in China that no Chinaman will ever again dare to look askance at a German."

At a court-martial convened in Manila twenty-one months after this utterance, Brigadier-General Jacob H. Smith declared that in operations conducted by him as General in command he had instructed a subordinate "not to burden himself with prisoners"; that he told him "that he wanted him to kill and burn in the interior and hostile country; and did also instruct him that 'The interior of Samar must be made a howling wilderness'; and did further instruct him that he wanted all persons killed who were capable of bearing arms and were actively engaged in hostilities against the United States; and that he did designate the age limit of ten years."

The court in this case found General Smith guilty of "conduct to the prejudice of good order and military discipline," and sentenced him to be admonished by the reviewing authority. The court declared itself thus lenient "in view of the undisputed evidence that the accused did not mean everything that his unexplained language implied; that his subordinates did not gather such a meaning; and that the orders were never executed in such sense." (57th Congress, 2d Session, Senate Document No. 213.)

Historically, however, it is noticeable that the instructions given by General Smith were in strict accordance with the "War is Hell" principles on which operations in a hostile country should be conducted as laid down on the occasion specified, by Lieutenant-General Sheridan, September 8, 1870, by the German Emperor, July 27, 1900, and by Lieutenant-General Young, November 13, 1902.

feeling as regards the Civil War performances having by that time ceased to exist, American investigators, no longer regardful of a victor's self-complacency, may treat the episodes of our struggle with the same even-handed and outspoken impartiality with which Englishmen now treat the revenges of the Restoration, or Frenchmen the dragonnades of the Grand Monarque. But when that time comes, the page relating to what occurred in 1864 in the valley of the Shenandoah, in Georgia, and in the Carolinas, — a page which Mr. Rhodes somewhat lightly passes over, — will probably be rewritten in characters of far more decided import.<sup>1</sup>

<sup>1</sup> In his work entitled "Ohio in the War" (1868), Mr. Whitelaw Reid says of the burning of Columbia, "it was the most monstrous barbarity of the barbarous march. There is no reason to think that General Sherman knew anything of the purpose to burn the city, which had been freely talked about among the soldiers through the afternoon. But there is reason to think that he knew well enough who did it, that he never rebuked it, and made no effort to punish it. . . . He did not seek to ferret out and punish the offending parties. He did not make his army understand that he regarded this barbarity as a crime. He did not seek to repress their lawless course. On the contrary, they came to understand that the leader, whom they idolized, regarded their actions as a good joke, chuckled over them in secret, and winked at them in public. . . . In both campaigns [that from Atlanta to Savannah, and from Savannah to Goldsboro'] great bodies of men were moved over States and groups of States with the accuracy and precision of mechanism. In neither was any effort to preserve discipline apparent, save only so far as was needful for keeping up the march.

"Here, indeed, is the single stain on the brilliant record. Before his movement began, General Sherman begged permission to turn his army loose in South Carolina and devastate it. He used this permission to the full. He protested that he did not wage war on women and children. But, under the operation of his orders, the last morsel of food was taken from hundreds of destitute families, that his soldiers might feast in needless and riotous abundance. Before his eyes rose, day after day, the mournful clouds of smoke on every side, that told of old people and their grandchildren driven, in midwinter, from the only roofs there were to shelter them, by the flames which the wantonness of his soldiers had kindled. With his full knowledge and tacit approval, too great a portion of his advance resolved itself into bands of jewelry-thieves and plate-closet burglars. Yet, if a single soldier was punished for a single outrage or theft during that entire movement, we have found no mention of it in all the voluminous records of the march. He did indeed say that he 'would not *protect*' them in stealing 'women's apparel or jewelry.' But even this, with no whisper of punishment attached, he said, not in general orders, nor in approval of the findings of some righteously severe court-martial, but incidentally — in a letter to one of his officers, which never saw the light till two years after the close of the war. He rebuked no one for such outrages; the soldiers understood that they pleased him. Was not South Carolina to be properly punished?

"This was not war. It was not even the revenge of a wrathful soldiery, for it was practised, not upon the enemy, but upon the defenceless 'feeble folk' he had left at home. There was indeed one excuse for it — an excuse which chivalric soldiers might be slow to plead. It injured the enemy — not by open fight, where

One final topic; dealt with by Mr. Rhodes in his fourth volume rather than in the fifth, it still occupies a prominent place in his narrative, and its treatment necessarily involves a man who, first and last, for good or evil, will assuredly stand forth in history as one of Massachusetts' most conspicuous contributions to our Great Rebellion period. The topic is that Virginia campaign which made sadly memorable the spring and summer of 1864; the individual, General B. F. Butler. To my mind Mr. Rhodes has neither done justice, nor fully meted out justice, to the episode or to the man.

And, primarily, in the matter of Grant's strategy in that famous campaign. It seems to me to have been much better considered, and more creditable to him, than would be inferred from Mr. Rhodes's narrative. Mr. Rhodes then, secondarily, as I see it, fails to place where it belongs the grave responsibility for the failure of Grant's plan of campaign, with the awful loss of life that failure involved. My understanding has always been that Grant's plan assumed the active and harmonious co-operation of three distinct armies, — that of the Potomac, under General Meade; that of the James, under General Butler; and, finally, the Ninth Corps, 15,000 strong, under the command of General Burnside. Meade, with the Army of the Potomac, was to advance and engage Lee, holding the Confederate army of Northern Virginia fully occupied; Burnside, meanwhile, was to be in reserve, immediately in Meade's rear; and, while Lee was thus engaged, Butler, with the Army of the James, composed of two corps, the Tenth and Eighteenth, and in all some 35,000 to 40,000 strong, was to push forward vigorously, threatening Richmond, and jeopardizing Lee's communications. Thus an important, if not vital, part in the plan of operations depended on Butler and the Army of the James. Opposed to him, with his completely equipped and numerically formidable command, was a wholly inadequate and widely scattered force under General Beauregard, recently (April 15) assigned to that department, and not yet on the ground.<sup>1</sup> If by an offensive movement, intelli-

a million would have been thought full match for less than a hundred thousand, but by frightening his men about the situation of their wives and children!" (Ohio in the War, vol. i. pp. 476-479.)

<sup>1</sup> Beauregard was at Weldon, North Carolina, from April 22 to May 10, awaiting the development of the Union plan of campaign. He did not reach Petersburg until May 10.

gently conceived and skilfully as well as vigorously handled, the Confederate line could be broken and thrown back into Richmond, Lee's rear would be exposed, his lines of communication threatened, and he must, abandoning Richmond, have fallen back towards Lynchburg or the Carolinas. Grant then proposed to follow him up, hanging doggedly on his rear, and catch Lee between an upper and a nether mill-stone,—the Army of the James holding him in check until the Army of the Potomac, hurrying up, could force a decisive battle.

As a strategic plan this was open to criticism. Two distinct armies were to operate conjointly in wholly separate fields, with an active enemy between them, enjoying, of course, the advantage of shorter interior lines. By a rapid concentration of forces it was obvious that Lee might crush Butler, and then swiftly turn to confront Meade either from within the defences of Richmond or in the open. Not impossible the Army of the Potomac might then be doomed to undergo, on the same ground, a repetition of its experiences of two years before. General Beauregard, it has since appeared, did indeed almost at once take in the situation from this point of view, and devised a plan of campaign accordingly.<sup>1</sup> Nevertheless, though involving some risk in the presence of two such commanders as Lee and Beauregard, both at once alert and vigorous, Grant's scheme of campaign was well considered and practical. He enjoyed a large numerical preponderance, and each of the three independent armies, if skilfully as well as energetically handled, was amply sufficient to take care of itself.

Had, accordingly, Grant's plan been carried out in all its parts,—south of the James as well as north of Richmond,—the terrible fighting of May and June in the Wilderness, and on the road to the James and Petersburg, would have been avoided. Richmond assuredly must have fallen; while the fate of Lee and his army would have been at least problematical. Though it is not probable that Appomattox could have been anticipated by a year, the Confederacy would have lost its capital, and Lee, with one of his two lines of communication with the Carolinas cut off, would have been confronted by the three Union armies, undepleted and combined under Grant.

<sup>1</sup> Roman, Beauregard, vol. ii. pp. 201, 202.



If such was Grant's plan, as I at the time and since have always understood, Mr. Rhodes gives no hint of it. He treats the campaign as if it had developed on the lines originally intended. If so, and I am right in my understanding, this does Grant great strategic injustice. His campaign failed, — failed in the beginning, and failed through the gross military incompetency of the General commanding the Army of the James.

An army could not well enter on an active campaign more auspiciously than did the Army of the Potomac in April, 1864. With full ranks, well disciplined, admirably equipped, inured to service, with confidence in itself and its commanders, it felt equal to any emergency of warfare. It was in fact a most formidable fighting machine; but, formidable as it was, the test to which it was subjected exceeded endurance. Plunging into the Wilderness, it found itself confronted by Lee at the head of the even more veteran Army of Northern Virginia, fighting on the defensive in a country peculiarly susceptible of an effective defence.<sup>1</sup> Mr. Rhodes has described

<sup>1</sup> In his Memoir of General William Farrar Smith, in the "Heroes of the Civil War Series," General James H. Wilson, both a very competent critic and one who on this subject spoke from intimate personal knowledge, attributed the ensuing failure of the campaign in greatest part to the very defective organization of the headquarters staff. For this, of course, Grant was wholly responsible. General Wilson says: "Without pausing here to recapitulate the arguments for and against the line and general plan of operations actually selected by General Grant, or to consider further his choice of subordinate commanders, it may be well to call attention to the fact that the organization and arrangements made by him for the control and co-operation of the forces in Virginia are now generally regarded by military critics as having been nearly as faulty as they could have been. . . . It was in the nature of things impossible to make either the armies or the separate army-corps work harmoniously and effectively together. The orders issued from the different headquarters were necessarily lacking in uniformity of style and expression, and failed to secure that prompt and unflinching obedience that in operations extending over so wide and difficult a field was absolutely essential, and this was entirely independent of the merits of the different generals or the peculiarities of their Chiefs of Staff and Adjutants General. The forces were too great; they were scattered too widely over the field of operations; the conditions of the roads, the width of the streams and the broken and wooded features of the battlefields were too various, and the means of transport and supply were too inadequate to permit of simultaneous and synchronous movements, even if they had been intelligently provided for, and the generals had uniformly done their best to carry them out.

"But when it is considered that Grant's own staff, although presided over by a very able man from civil life, and containing a number of zealous and experienced officers from both the regular army and the volunteers, was not organized for the arrangement of the multifarious details and combinations of the marches and battles of a great campaign, and indeed under Grant's special

what ensued. In forty days the force in Lee's front reported 55,000 casualties. Meanwhile, what had become of the Army of the James? Why did it not play its part, working a diversion? Well do I remember, at the time and on the spot, when the news came that Beauregard, with a mere handful of men, — hardly more than a heavy skirmish line, — had foiled Butler. No relief was to be looked for from that quarter. It was at this juncture that Grant characteristically remarked that "Butler was as safe as wax; bottled up at Bermuda Hundred!" But the plan of campaign then went to pieces; while Lee, relieved from all anxiety because of Richmond and his rear, with his communications assured, was left free to oppose his entire force to the enemy before him. What ensued, Mr. Rhodes has sufficiently told in a previous volume.

In the volume now under consideration, however, Mr. Rhodes deals with Benjamin F. Butler judicially, — as one standing at the bar of history. The sentence he passes upon him is severe, and the more severe because carefully restrained in expression. But it is confined to questions of mere lucre, — "beyond reasonable doubt," Mr. Rhodes says, "he [Butler] was making money [illicitly] out of his country's life struggle." That is bad; but, however bad it may be, it is in my judgment the rendering on a very minor count in the long indictment to which Massachusetts' senior Major-General of the Civil War should be made to answer. His departmental dishonesty may be measured in dollars and cents; his headquarters incompetence cost blood and grief both unmeasured and immeasurable. Who was responsible for the greater part of that awful loss of life, — a loss numerically nearly equal to the entire army Napoleon had on the field at Waterloo? Primarily, it was that commander of the Army of the James who so utterly failed in doing the work he had himself insisted should be assigned him to do;<sup>1</sup> and, secondarily, to the

instructions made no efforts to arrange them, it will be apparent that properly co-ordinated movements could not be counted upon. . . . In addition to the defective organization and inefficient staff arrangements which have been mentioned, neither the Union government nor the Union generals ever made provisions, or seemed to understand the necessity, for a sufficient preponderance of force, to neutralize the advantages which the Confederate armies enjoyed, when fighting on the defensive, or to render victory over them reasonably certain."

<sup>1</sup> Yet in his farewell order to the Army of the James of January 8, 1865, Butler boasted — "The wasted blood of my men does not stain my garments." War Records, Serial No. 96, p. 71.

commander-in-chief who left a charlatan and an incompetent in the place to which he should have designated his trustiest lieutenant.<sup>1</sup> It was a parallel case to that of Grouchy, — the fatal mistake of the man at the head in the choice of a tool. Years ago, during the life of our late associate John C. Ropes, I frequently discussed with him — once (1894), I remember, on the field of Waterloo — what turn other than that history has recorded might have been given to the momentous 15th of June, 1815, had Davout, instead of being at the time Minister of War and in Paris, been, as he should have been, in command of Napoleon's right wing. It hardly admits of question that the victor of Auerstadt and Eckmühl, instinctively taking in the strategic situation, would have kept in close touch with the Emperor, and that Blücher would have found the road from Wavre to Waterloo effectually blocked. Napoleon's right arm would not then have been paralyzed; he would have been free to throw his whole army on Wellington's flank and rear. Fortunately for Wellington, Grouchy, and not Davout, was that day in command of Napoleon's detached wing. Butler's command and mission in the Virginia campaign of 1864 were almost exactly similar to the command and mission of Grouchy in the Waterloo campaign of 1815; and now to discuss the operations of the Army of the Potomac in the Wilderness and at Spottsylvania without constant reference to what the Army of the James was on those days doing south of the James, is a treatment no less defective than it would be to try to explain what took place at Waterloo without giving any consideration to Grouchy's blundering march from Gembloux to Wavre. Butler, like Grouchy, was left by the commander-in-chief to act, under general instructions, as the conditions of time and place, and the movements of the enemy in his front, might make more expedient, the plan of campaign and general strategic situation being always clearly in mind. Both failed, and failed

<sup>1</sup> "Lastly, to put such an important operation as this under the charge of a civilian who had never made any military reputation was really an unwarrantable piece of folly. If, as Badeau says, Mr. Lincoln insisted upon it on political grounds, it would have done Mr. Lincoln no harm for General Grant to have reminded him, in distinct and not to be misunderstood speech, that the Congress of the United States had placed him, Grant, in charge of the armies of the United States for the very purpose of seeing to it that this sort of thing should not occur in the future, as it had so often in the past." (J. C. Ropes, *Papers of Military Historical Society of Massachusetts*, vol. iv. p. 389.)

utterly. In each case incalculable disaster ensued. My point is that, in the narrative of Mr. Rhodes, Butler does not figure as the Grouchy of the Wilderness.

It is obvious enough now, and, when too late, was plain enough to Grant then, that a blunder of selection entailing infinite detriment was made. In planning his campaign of 1864 Grant should have taken no chances; and it is safe to say that at no subsequent period would he have entrusted to Butler any military operations. Probably at the time he relied on General W. F. ("Baldy") Smith, assigned to the command of the Eighteenth Corps, and second in rank in the Army of the James, to supply Butler with that military guidance of which he stood in such crying need. If this was so, Grant was wrong again. Smith was then fresh from Chattanooga, where he had shown great skill immediately under Grant's eye; and perhaps no one available in the whole Union army at that time promised a more brilliant future. So high an opinion did Grant then hold of Smith that when the newly appointed Lieutenant-General came East in February, 1864, to take full charge, he brought Smith with him, with the half-formulated idea of substituting him for Meade in command of the Army of the Potomac. This idea Grant subsequently abandoned, finding a place for Smith in the Army of the James; but, unfortunately, he did not substitute him for Butler as he had proposed to do for Meade. Instead of so doing he endeavored, taking a half-way course, by indirections to work directions out. As usual, when in military operations that feat is attempted, a terrible mistake was made. Smith was, in fact, a skilful engineer; in all respects a good soldier; and, in some, a brilliant commander. But Butler, though himself a military harlequin, was a man not easy to guide; nor was "Baldy" Smith the man to guide him. On the contrary, he was almost the last of those high in rank to whom that task, at once difficult and delicate, should have been assigned.<sup>1</sup> A year later, General Grant would unquestionably have selected Sheridan to do the work thus hesitatingly assigned; but, in May, 1864, Sheridan had not forged to the front as he afterwards so rapidly did. None the less, just as it is curious to consider what would have been the

<sup>1</sup> "General Smith, whilst a very able officer, is obstinate, and is likely to condemn whatever is not suggested by himself" (Grant to Hancock, May 21, 1865.)

result in June, 1815, had Davout filled the position in Napoleon's command held by Grouchy, so we are free to philosophize to any extent we see fit over what might have happened in May and June, 1865, had Beauregard then found himself confronted by Sheridan instead of by Butler.

The recollection of events and talk of more than forty years ago was the sole basis for the statements made in the text, and the conclusions drawn therefrom. Throughout the period in question I was attached in a subordinate capacity to the headquarters of the Army of the Potomac, and was, almost of necessity, more or less familiar with operations then going on in the field, and the views generally held at and about headquarters of them, and of those who had had them in charge. But, however vivid and distinct it may be, the memory of what was asserted, or actually occurred, more than the lifetime of a generation ago is no basis for any historical statement. While revising this paper I have therefore sought to refresh my memory and verify my recollections by consulting portions of the vast mass of material put in print since 1865, especially the War Records, Grant's Personal Memoirs (1885), Butler's Book (1892), Roman's Military Operations of General Beauregard (1884), W. F. Smith's Chattanooga to Petersburg (1893), and, on the whole as illuminating as any, our late associate John C. Ropes's paper (1884) entitled Grant's Campaign in Virginia.<sup>1</sup> While from these authorities I have learned much I did not before know as to details, I have come across nothing affecting the general correctness of the impressions I at the time received.

Grant's original plan of combined campaign for the spring of 1864 was exactly that described. To quote his own language in his instructions to Meade, "Lee's army will be your objective point. Wherever Lee goes, there you will go also. Gillmore will join Butler with about 10,000 men from South Carolina. Butler can reduce his [Fortress Monroe garrison] so as to take 23,000 men into the field directly to his front. The force will be commanded by Major-General W. F. Smith. With Smith and Gillmore, Butler will seize City Point, and operate against Richmond from the south side of the river.

<sup>1</sup> This paper appears as Number XV. (pp. 368-405) in the volume entitled "The Wilderness Campaign," of the publications of the Military Historical Society of Massachusetts.

His movement will be simultaneous with yours.”<sup>1</sup> At the same time Grant wrote to Butler as follows :— Major-General Smith “is ordered to report to you to command the troops sent into the field from your own department. . . . The fact that Richmond is to be your objective point, and that there is to be co-operation between your force and the Army of the Potomac, must be your guide.” Butler was at once to seize City Point, and there, Grant wrote, “concentrate all your troops for the field as rapidly as you can. From City Point directions cannot be given at this time for your further movements.” Holding a firm base on the south bank of the James, Butler was thus left free to move in any direction he saw fit; and “should the enemy be forced into his intrenchments in Richmond, the Army of the Potomac would follow, and by means of transports the two armies would become a unit.”<sup>2</sup> Such were Butler’s instructions; meanwhile of Smith, who was “to command the troops sent into the field,” Grant at the same time wrote to Halleck, General Smith “is possessed of one of the clearest military heads in the army; is very practical and industrious. No man in the service is better qualified than he for our largest commands.”<sup>3</sup> General Smith “is really one of the most efficient officers in service, readiest in expedients, and most skilful in the management of troops in action.”<sup>4</sup> On the night of May 5th Butler debarked at Bermuda Hundred. The movement was a complete surprise to the Confederates. By mere chance General Hagood’s South Carolina brigade was moving by rail to Richmond, when, on the 6th of May at Walthall Junction, between Petersburg and Richmond, they encountered a brigade thrown forward by Butler to seize the railroad at that point. The Confederates “jumped off the platform cars upon which they were borne, the [Union] brigade . . . was in view, some thousand yards off, across an open field, advancing in line of battle, and supported by artillery . . . a brisk action ensued. The [Union brigade] made two direct attacks, and, after a second repulse, at nightfall withdrew.”<sup>5</sup> “Thus were Peters-

<sup>1</sup> Grant to Meade, April 9, 1864, *Personal Memoirs*, vol. ii. p. 135.

<sup>2</sup> Grant to Butler, April 2, 1864, *Butler’s Book*, p. 630; *War Records*, Serial No. 95, p. 15.

<sup>3</sup> Grant to Stanton, November 12, 1863, *Chattanooga to Petersburg*, p. 15.

<sup>4</sup> Grant to Halleck, July 1, 1864, *ibid.* p. 29.

<sup>5</sup> Roman, *Beauregard*, vol. ii. p. 552.

burg and Richmond barely saved by the opportune presence and gallant conduct of Hagood's command. It was upon that occasion that General Butler's forces were baffled and beaten off in their attempt to seize the Richmond railroad above Petersburg."<sup>1</sup> "The authorities at Richmond were now in a state of great excitement. The enemy had been repulsed on the Richmond railroad, and, to all appearance, had abandoned his original intention of investing Petersburg; but where he would next attempt to strike was the all-absorbing question."<sup>2</sup> At this juncture Beauregard had not yet arrived from Weldon; nor were there 3,000 men all told south of Walthall Junction, or available for the defence of Petersburg. The key to the whole military situation was unprotected. "Meanwhile troops were hastily called for from all quarters," and on the 10th Beauregard arrived, with the first body of reinforcements. The golden opportunity was rapidly passing. On the evening of the 9th Generals Gillmore and Smith, being then at Swift's Creek, about four miles north of Petersburg, united in a written communication to General Butler suggesting that the whole command should be directed on Petersburg instead of Richmond, as previously agreed. They claimed that "all the work of cutting the [rail]road, and perhaps capturing the city, can be accomplished in one day." Refusing even to consider the suggestion, General Butler, the same evening, returned a reply beginning as follows:—

"GENERALS,— While I regret an infirmity of purpose which did not permit you to state to me, when I was personally present, the suggestion which you made in your written note, but left me to go to my head-quarters under the impression that another and far different purpose was advised by you, I shall not yield to the written suggestions, which imply a change of plan made within thirty minutes after I left you. Military affairs cannot be carried on, in my judgment, with this sort of vacillation. The information I have received from the Army of the Potomac convinces me that our demonstration should be toward Richmond, and I shall in no way order a crossing of the Appomattox for the purpose suggested in your note."<sup>3</sup>

The date of this correspondence (May 9) is important. The battle of the Wilderness had been fought on May 5th and 6th, that of Spottsylvania was to begin on May 10th, and not until

<sup>1</sup> Roman, Beauregard, vol. ii. p. 198.

<sup>2</sup> *Ibid.* p. 199.

<sup>3</sup> War Records, Serial No. 68, p. 35.

the 12th was the famous assault made on Lee's salient. The Confederate army was hard pressed. To what extent at just this juncture would sudden tidings of the capture of Petersburg, and the consequent severing of his line of southern sea-coast communication, have affected Lee's mind and the entire strategic situation? And it was just then that Butler, contemptuously and insolently ignoring the recommendations of his two subordinates, allowed Beauregard to establish himself at Petersburg, while the Army of the James made "a demonstration" toward Richmond! In his official report of the whole campaign Grant subsequently said of this "demonstration" that "the time thus consumed lost to us the benefit of the surprise and capture of Richmond and Petersburg, enabling, as it did, Beauregard to collect his loose forces in North and South Carolina, and bring them to the defence of those places."<sup>1</sup> The occasion was great, and Beauregard showed himself equal to it. Rapidly concentrating his scattered and scanty command, he, on the 15th, assumed the offensive. The next day (16th) he attacked Butler at Drewry's Bluff. "Butler's army was driven back, hemmed in, and reduced to comparative impotency, though not captured. The danger threatening Richmond was, for the time being, averted."<sup>2</sup>

At that time the Army of the Potomac was fighting at Spottsylvania fiercely and futilely, and not until June 3d, a fortnight later, did the slaughter of Cold Harbor occur. The great opportunity of May 9th, pointed out to Butler by his lieutenants, had been allowed wholly to escape; Lee's rear and communications were secure; Butler was safely "bottled up"; the Army of the Potomac, sorely crippled, had sustained losses as heavy as they were unnecessary; Grant's whole plan of campaign had gone to pieces. Had Butler on May 9th, correctly taking in the military situation, complied with the suggestion of his two corps commanders, Petersburg must have fallen into his hands; Lee would perforce have been compelled to fall back on Richmond; the Cold Harbor assaults would not have occurred; and all subsequent operations would have been other than they were.

Prior to this, May 7th, General Butler had written a

<sup>1</sup> War Records, Serial No. 95, p. 19.

<sup>2</sup> Roman, Beauregard, vol. ii. p. 209.



letter marked "Confidential" to Senator Wilson of Massachusetts, then on the Senate Military Committee, beginning thus: "My Dear Sir:—I must take the responsibility of asking you to bring before the Senate at once the name of General Gillmore, and have his name rejected by your body." Nominated for promotion to the rank of Major-General, the nomination of General Gillmore was then pending.<sup>1</sup> Under such circumstances the state of affairs in the Army of the James not unnaturally became in May so unsatisfactory that General Halleck at the request of General Grant sent (May 21st) Generals Meigs and Barnard to investigate. On the 24th they gave it as their opinion that "an officer of military experience and knowledge [should be placed] in command. . . . General Butler . . . has not experience and training to enable him to direct and control movements in battle. . . . General Butler evidently desires to retain command in the field. If his desires must be gratified, withdraw Gillmore, place Smith in command of both corps under the supreme command of Butler. . . . You will thus have a command which will be a unit, and General Butler will probably be guided by Smith, and leave to him the suggestions and practical execution of army movements ordered. Success would be more certain were Smith in command untrammelled, and General Butler remanded to the administrative duties of the departments."<sup>2</sup>

Difficulties naturally suggested themselves to the adoption of the course thus recommended. General Gillmore was relieved of his command early in June,<sup>3</sup> and the ill-feeling between Butler and Smith culminated, June 21st, in a characteristic and extremely sharp correspondence,<sup>4</sup> as a result of which General Smith requested to be relieved of the command of the Eighteenth Corps. Then followed one of the most extraordinary and inexplicable episodes of the war. Grant wrote (July 1) to Halleck, advising him of the situation. He said: "I regret the necessity of asking for a change of commanders here, but General Butler, not being a soldier by education or experience, is in the hands of his subordinates

<sup>1</sup> Butler's Book, pp. 644, 1065.

<sup>2</sup> War Records, Serial No. 69, p. 178.

<sup>3</sup> Butler's Book, p. 679.

<sup>4</sup> War Records, Serial No. 81, pp. 299-301; From Chattanooga to Petersburg, pp. 28, 155, 186-188.

in the execution of all orders military." Grant, however, hesitated "to recommend his [Butler's] retirement."<sup>1</sup> This brought out a most suggestive reply (July 3) from Halleck. In it he said: "It was foreseen from the first that you would eventually find it necessary to relieve General B. on account of his total unfitness to command in the field, and his generally quarrelsome character."<sup>2</sup> The Chief of Staff then went on to discuss the several dispositions which might be made of Butler, significantly pointing out the danger to be apprehended from "his talent at political intrigue, and his facilities for newspaper abuse." He finally suggested: "Why not leave General Butler in the local command of his department, including North Carolina, Norfolk, Fort Monroe, Yorktown, &c., and make a new army corps of the part of the Eighteenth under Smith?" The letter closed with a sentence indicative of the personal apprehension General Butler seemed to excite in the breasts of those put in any position antagonistic to him. The official Chief of Staff said: "As General Butler claims to rank me, I shall give him no orders wherever he may go, without the special direction of yourself or the Secretary of War." Three days later, July 6th, Grant wrote to Halleck: "Please obtain an order assigning the troops of the Department of Virginia and North Carolina serving in the field to the command of Maj. General W. F. Smith, and order Major General Butler, commanding department, to his head-quarters, Fortress Monroe." In accordance with this request, General Order No. 225 was at once issued. Curiously enough the original order, forwarded both to Butler and Smith,<sup>3</sup> read that "Maj. Gen. Smith is assigned by the President to the command of the corps," etc.; in the order as formally made public the words "by the President" do not appear. This order, though in conformity with the recommendation of Generals Meigs and Barnard of six weeks before (May 24), was highly objectionable to General Butler. Immediately on receipt of it at Bermuda Hundred he rode over to the head-quarters of General Grant, and asked if "this was his act and his desire." Grant replied: "But I don't want this." Colonel Mordecai afterwards wrote: "Gen'l Butler

<sup>1</sup> War Records, Serial No. 81, p. 559.

<sup>2</sup> *Ibid.* p. 598.

<sup>3</sup> Butler's Book, p. 695; From Chattanooga to Petersburg, p. 33.

returned to camp about dusk, as I recall it, and, as he dismounted from his horse, remarked to a number of his staff officers who were near him, 'Gentlemen, the order will be revoked to-morrow.'"<sup>1</sup> Not only was the order revoked, but General Butler's field command was extended so as to include the Nineteenth Corps, while General Smith was "relieved from the command of the Eighteenth Army Corps, and [directed to] proceed to New York, and await further orders."<sup>2</sup>

As respects the details of what transpired at the interview above referred to, General James H. Wilson, whose relations at the time and subsequently were intimate with both General Grant and Smith, wrote in 1904 as follows, in that Memoir of "Baldy" Smith already referred to:—

"It must be confessed that Grant's explanations of his later attitude towards Smith, and of the reasons for relieving him and restoring Butler to command, were neither full nor always stated in the same terms. He ignores the subject entirely in his memoirs, but it so happens that Mr. Dana, then Assistant Secretary of War, was sitting with General Grant when Butler, clad in full uniform, called at headquarters, and was admitted. Dana describes Butler as entering the General's presence with a flushed face and a haughty air, holding out the order relieving him from command in the field, and asking: 'General Grant, did you issue this order?' To which Grant in a hesitating manner replied: 'No, not in that form.' Dana, perceiving at this point that the subject under discussion was an embarrassing one, and that the interview was likely to be unpleasant, if not stormy, at once took his leave, but the impression made upon his mind by what he saw while present was that Butler had in some measure 'cowed' his commanding officer. What further took place neither General Grant nor Mr. Dana has ever said. Butler's Book, however, contains what purports to be a full account of the interview, but it is to be observed that it signally fails to recite any circumstance of an overbearing nature."<sup>3</sup>

The disposition of commands made in Special Order No. 62, above referred to, continued in force until the Wilmington expedition and the famous powder-boat explosion of the following December. During the months intervening much had happened. July, 1864, came about during one of the most depressing, if not the most depressing, period of the whole

<sup>1</sup> Chattanooga to Petersburg, p. 189.

<sup>2</sup> Special Orders No. 62, July 19, 1864; Butler's Book, p. 1087.

<sup>3</sup> Life and Services of W. F. Smith, pp. 112, 113.

struggle. Grant's movement against Richmond and Lee's army had failed, after excessive loss of life; Sherman's movement against Atlanta had not yet succeeded; Washington was threatened from the valley of the Shenandoah; a presidential election was immediately impending; the country at large was in a state of extreme discouragement; the administration and the generals in the field stood in manifest fear of Butler's "talent for political intrigue and his facilities for newspaper abuse." Six months later the whole aspect of affairs had undergone a complete and, indeed, almost magical change. Grant, it is true, was still held in firm check before Petersburg: but Sherman had marched through Georgia and captured Savannah; Sheridan had won his victories in the valley; Lincoln had been re-elected; the Confederacy was believed to be in extremities. Under these circumstances that might safely be done which in July had seemed to involve a political risk. Accordingly, on January 4, 1865, Grant wrote to the Secretary of War: "I am constrained to request the removal of Maj. Gen. B. F. Butler from the command of the Department of Virginia and North Carolina. I do this with reluctance, but the good of the service requires it. In my absence General Butler necessarily commands, and there is a lack of confidence felt in his military ability, making him an unsafe commander for a large army. His administration of the affairs of his department is also objectionable."<sup>1</sup> Three days later (January 7) the following was issued from the War Department:—

"General Orders No. 1.

"I. By direction of the President of the United States, Maj. Gen. Benjamin F. Butler is relieved from the command of the Department of North Carolina and Virginia. . . .

"II. Major-General Butler on being relieved will repair to Lowell, Mass., and report by letter to the Adjutant-General of the Army."

Of General Butler as a field officer in active military service General W. F. Smith wrote to General Grant, after asking to be relieved from further service in the Department of Virginia and North Carolina: "I want simply . . . to ask you how you can place a man in command of two army corps, who is as helpless as a child on the field of battle and as visionary as

<sup>1</sup> War Record, Serial No. 96, p. 29.

an opium-eater in council?"<sup>1</sup> Of the same commander, Admiral David D. Porter wrote to the Secretary of the Navy, December 29, 1864, immediately after the withdrawal of the first expedition against Wilmington, subsequently to the powder-boat fiasco of December 24: "If this temporary failure succeeds in sending General Butler into private life, it is not to be regretted."<sup>2</sup>

Mr. CHARLES C. SMITH communicated the following remarks on the Rev. Dr. Pierce's Memoirs, with the accompanying extracts.

At several meetings of the Society during the last twenty years I have communicated selections from the manuscript Memoirs of Rev. Dr. John Pierce of Brookline, from 1809 to 1849 a member of the Society, which were given to us by his last will, and came into our possession nearly half a century ago.<sup>3</sup> These selections were received with favor, and the wish has been expressed several times that further selections might be printed. Accordingly, during the summer vacation I have been carefully through the volumes to see just how far this might be desirable, and whether one or more volumes of Collections might not be made, to follow the volumes relating to the eighteenth century recently published. I am sorry to say that the hope that this could be done has been disappointed; and my examination has fully confirmed the decided and emphatic judgment of our predecessors, that a publication of the whole or even a large part of the Memoirs ought not to be attempted. Among the reasons which led to this opinion was, no doubt, the fact that much which Dr. Pierce recorded was not within his own knowledge, but was based on information received from others and afterward found to be incorrect, as he noted in the margin of his Memoirs. Added to this was probably the not less obvious fact that the "Memoirs" was in

<sup>1</sup> Chattanooga to Petersburg, p. 87; War Records, Serial No. 81, p. 595.

<sup>2</sup> Butler's Book, p. 1123.

<sup>3</sup> See 2 Proceedings, vol. iii. pp. 40-52, "Journey to Providence and New Haven, 1795"; vol. v. pp. 167-263, "Some Notes on the Commencements at Harvard University, 1803-1848"; vol. ix. pp. 110-143, "Some Notes on the Anniversary Meetings of the Phi Beta Kappa Society, Alpha of Massachusetts, 1803-1848"; *ibid.*, pp. 143-157, "President Kirkland"; vol. x. pp. 392-403, "Anniversaries at Plymouth, 1820 and 1845"; 7 Mass. Hist. Coll., vol. v. pp. 392-394 n., "Character of Rev. Eliphalet Porter, D.D."

no sense a diary or journal, but was rather a commonplace book and a journal combined. No part of it can have been written at the time to which the entry refers, but in the form in which it now exists it was copied from notes made at an earlier period, and not always correctly copied, or was written largely from memory. In it are numerous anecdotes of Americans or Englishmen, many of which are printed elsewhere; copies of letters which he had received or written; documents relating to church troubles, mainly from printed pamphlets; church covenants; characters of deceased classmates or ministers, not always sympathetic in tone; accounts of temperance meetings and celebrations; long classified lists of persons whom he saw on public occasions which it would not be of interest to perpetuate in print; and even sermons copied at length from the original manuscripts. To this latter class belong eighteen or nineteen of his own sermons,<sup>1</sup> one by Rev. Leonard Withington of Newburyport, one by Rev. Dr. Osgood of Medford, one by Rev. Mr. Motte of Boston, one by an unnamed minister of Washington, D. C., one by his son-in-law, Rev. Thomas B. Fox, and two by Rev. Dr. Channing.<sup>2</sup> Dr. Pierce was a most assiduous attendant at the Thursday Lecture in Boston, and he often left other meetings that he might hear this sermon. He was present at the lecture more than eighteen hundred times, and of many of the discourses he has given abstracts, usually very short and covering only the heads of discourse or detached phrases which had interested him.<sup>3</sup> He also attended one hundred and forty-one ordinations or installations, — “77 on Council; 64 not on Council; 45 in Boston; 96 elsewhere.” Of the services on these occasions he has given more or less full accounts, carefully noting how many minutes were occupied by each part, and whether the prayers were in his opinion “devout and appropriate” or not. For a generation which attaches much less importance to sermons than did our grandfathers these meagre reports would hardly tend

<sup>1</sup> A manuscript volume of early sermons by Dr. Pierce, 1800-1811, is in the Waterston library.

<sup>2</sup> One of Dr. Channing's sermons was preached after the death of Miss Anna Cabot Lowell, some of whose letters are printed in 2 *Proceedings*, vol. xviii. pp. 302-317. It is a very good specimen of Dr. Channing's pulpit discourses, but does not contain any biographical details or strictly personal references.

<sup>3</sup> It is a tradition among the oldest members of the Society that noon was fixed for the hour of the Society's meetings in order to accommodate those members who wished to attend the Thursday Lecture.

to edification. On the other hand, though he was a member of this Society for forty years, and our records show that he was very constant in his attendance at the meetings, there is not one word about what was here said or done. In the same year in which he was made a member of this Society he was chosen a Fellow of the American Academy of Arts and Sciences, and he is equally reticent as to what took place at their meetings.

Dr. Pierce comprised his Memoirs in eighteen small quarto volumes, of about five hundred pages each. Included in this enumeration is one volume lettered "Memorabilia," of which only a part is in his own hand, and of which a large part consists of blank leaves. To many of the volumes is prefixed a title-page,— "Memoirs By John Pierce, V Congregational Minister of Brookline, Massachusetts. . . . 'Historia, quoquo modo scripta, delectat.' Pliny." To this Dr. Pierce added on the title-page of Vol. I. New Series, two other mottoes,— "Parvum parva docent; sed inest sua gratia parvis." "'Pleraque eorum, quæ referam, parva forsitan et levia memoriter videri, non nescius sum.' Tacitus." At the beginning of that volume Dr. Pierce wrote as follows:—

The origin of these Memoirs is the following:

I began while member of Harvard University to write certain memoranda. The taste for this species of writing I probably inherited from my maternal ancestors by the name of Blake. My great-grandfather James Blake wrote a minute history of Dorchester, his native town, which I have transcribed in my family records.<sup>1</sup> He also left a manuscript volume containing a survey and projections of the various farms in Dorchester.

After taking minutes more or less particular of passing events in sheets stitched together, I procured a bound volume, and began on 1 January, 1806, to make a more formal record than I had before attempted. Proceeding some way, it occurred to me that I would transcribe into the same volume what I had written on loose papers, beginning with the week of anniversaries in Boston in 1803, so that my first ten volumes extend over a period of precisely forty years. Beyond this period I never expected to proceed. But though on the borders of three score years and ten, as my health remains so firm, I have concluded to prolong my Memoirs so long as God shall continue the ability for such a service.

<sup>1</sup> No. Two of Collections of the Dorchester Antiquarian & Histor. Socy, down to 1760. First published in Boston by David Clapp, Jr. in 1846.—*Marginal Note by Rev. Dr. Pierce.*

I intend that all these volumes, lettered on the back *Memoirs*, shall be deposited by my executor or administrator, be they more or fewer, in the Library of the Massachusetts Historical Society. My reasons are that this is the place expressly designed for such deposits, where they will be kept most safely and can be consulted most conveniently. Were they left to my family, it is probable that they would ere long be scattered, defaced, and lost. But in a public library where no manuscripts are allowed to be taken away they stand the best chance of preservation.

These *Memoirs* are not such as I could desire, being written without alterations or amendments as the events which they relate transpired. I doubt not that many errors may be detected, and that many of the records may savor of the prejudices and partial judgments of their writer. But such as they are, they are bequeathed without reserve to the Massachusetts Historical Society by one of its devoted members.

JOHN PIERCE.

3 June, 1843.

At the beginning of the last volume, "*Memorabilia*," the contents of which are of a very miscellaneous character, is the following memorandum:—

After having by Will bequeathed my *Memoirs* to the Massachusetts Historical Society, it was suggested to me by a friend that without some special provision they would be liable to abuse by unauthorized persons resorting thither, transcribing and garbling some portions, and publishing them in a way which might possibly do injury to my honest intentions and hurt the feelings of some survivors of my family. Accordingly I sought an interview with the Hon. James Savage, President of the Society, who prepared for my security from such perversions the following paper.

*Paper prepared by Hon. James Savage for Pierce's Memoirs.*

BROOKLINE, 27 April, 1849.

The Rev. John Pierce of this town having this day expressed to me his affection towards the Massachusetts Historical Society, of which he is one of the earliest members, and mentioned that he had provided in his last Will for the destination of certain volumes of manuscript *Memoirs*, 18 or more in number, unto said Society's Library, one of the rules of which he knew was that no manuscript could be allowed to go from the room of said Library, and yet he felt some anxiety lest an unwise curiosity in visitors at the Library, or in members of said Society, should be indulged by copying & publishing any trifling anecdote or reflection upon some person or transaction that might stand well enough in its general connection with the whole matter, but give offence



or raise misapprehension when taken singly, I therefore, as President of said Society, do faithfully promise that the said Society shall and will either pass an order or vote that no extract in writing shall be permitted to be taken from either of said volumes by any member of said Society, or visitor at said Library, within the period of four years from the delivery of the said volumes at the said Library by the Executor of said last Will, or that in default thereof I will receive the said volumes, and not permit them to be seen by any body nor read any part thereof during the said term of time.<sup>1</sup>

JAMES SAVAGE.

While it would be undesirable to print any considerable part of the Memoirs in the Collections, it is true that in the volumes there are many things from which a selection may from time to time be made for insertion in the Proceedings; but as Dr. Pierce had a great fondness for gossip, matters not within his own knowledge ought always to be omitted. In many instances a censorious tone finds expression in the written record which, it is believed, was never noticed in personal intercourse. Without a spark of genius, with little imagination or sentiment, with no eloquence in speech or writing, — a plain “matter-of-fact person,” as he was accustomed to describe himself, — he was universally known and loved. One who knew him well, and whose characterization of him I just now adopted, wrote: “We suppose that there was hardly a man in Massachusetts whose person was known to so many individuals in the State.”<sup>2</sup>

In the Memoirs are some incidental references to the Historical Society which are worth copying. In a notice of the Hon. Thomas L. Winthrop, Dr. Pierce writes:—

<sup>1</sup> Dr. Pierce died August 24, 1849. After his death the volumes, by permission of the Society, remained in the custody of his widow until her death. They were received at the Library of the Society in February, 1859.

<sup>2</sup> For a well-considered and just estimate of Dr. Pierce, see an article, by Rev. Dr. George Putnam, in the *Christian Examiner*, vol. xlvii. pp. 447-455. See also Rev. Dr. Andrew P. Peabody's “Harvard Graduates whom I have known,” pp. 27-41. Dr. Pierce's peculiarities were the occasion of much innocent mirth among his ministerial brethren. When quite a young man I went to Brookline to the ordination of his colleague. In coming into Boston in the omnibus, it so happened that I sat next to the Rev. Dr. Parkman, father of our late eminent associate. In the course of a pretty general conversation Dr. Parkman with a twinkle in his eye quoted Paul's Epistle to Titus, as applicable to Dr. Pierce, — “But avoid foolish questions, and genealogies, and contentions, and strivings about the law; for they are unprofitable and vain.”

"He has been President of the American Antiquarian Society for nine years; and since 1835, when Judge John Davis resigned the office he has been President of the Massachusetts Historical Society. He has been generous in his donations to these and other literary and benevolent institutions of the day. The meetings of the Historical Society he uniformly attended; and every month was in the habit of inviting the members present at the meetings to a most sumptuous entertainment in his own house."

At that time the membership was limited to sixty, and the average attendance was about twelve or fifteen. I am not aware that any of Mr. Winthrop's predecessors had set a precedent for this large hospitality, and it has not been followed by any of his successors.

Under date of May 29, 1843, Dr. Pierce writes:—

At XI A. M. the Massachusetts Historical Society walked in procession from their rooms in Tremont street to the First Church.<sup>1</sup> Present, John Q. Adams, Nathan Appleton, Charles F. Adams, George Bancroft, Josiah Bartlett, *John Codman, D.D.*, John Davis, Isaac P. Davis, *George E. Ellis, Joseph B. Felt, Dr. Francis*, S. P. Gardner, F. C. Gray, Wm. Gibbs, Samuel Hoar, *Dr. Jenks, Dr. Lowell, Dr. Lamson, Wm. P. Lunt*, N. Mitchell, John Pickering, Wm. H. Prescott, *J. Pierce*, Pres. Quincy, *S. Ripley*, James Savage, Jared Sparks, George Ticknor, Charles W. Upham, Joseph Willard, Joseph E. Worcester, D. A. White, R. C. Winthrop, *Alexander Young.*<sup>2</sup> 34. These were accompanied by delegates from other Historical Societies. This was the second Centennial Celebration of the confederation of the New England colonies.

We entered the church precisely at XI A. M. ]

I. Voluntary on the Organ.

II. Prayer by Dr. Frothingham, of 8 minutes, well adapted to the occasion.

Psalm 107, New England version, 1640.

"Your thanks unto the Lord express;  
Because that good is he;  
Because his loving-kindnesses  
Last to eternity.

<sup>1</sup> The First Church was then in Chauncy Place.

<sup>2</sup> Following the plan adopted in the Triennial Catalogues of Harvard College. In which the names of ministers were printed in italics, Dr. Pierce underscored the names of the clerical members of the Society who were present. The names of Mr. Sparks and Mr. Upham were not underscored.

"So say the Lord's redeemed, whom bought  
He hath from enemies' hands;  
And from the East and West hath brought,  
From South and Northern lands.

"Then did they to Jehovah cry,  
When they were in distress;  
Who did them set at liberty  
Out of their anguishes.

"O that men praise Jehovah would  
For his great goodness then,  
And for his wonders manifold  
Unto the sons of men!"

III. Address by John Quincy Adams, of one hour and forty-three minutes. It was an elaborate production, read without glasses, many parts of which were uttered with great energy.

Psalm 44 of the same version was sung to St. Martin's.

"We with our ears have heard, O God;  
Our fathers have us told,  
What works thou wroughtest in their days,  
Even in the times of old.

"For by their sword they did not get  
The land's possession;  
Nor was it their own arm that did  
Work their salvation.

"But thy right hand, thine arm also,  
Thy countenance's light;  
Because that of thine own good will,  
Thou didst in them delight."

The benediction by Dr. Frothingham.

The house was respectably filled; the galleries principally by ladies. The broad-aisle pews were reserved for the Society and its guests.

There was no dinner; but in the evening the members of the Society and a large number of others met at the mansion of the President, Hon. James Savage, where I was introduced to several members of kindred Societies.<sup>1</sup>

Dr. Pierce was indefatigable in his attendance at the Exhibitions in Harvard College and at the visitations to the Divinity School; but his notes on them have far less interest and value than his notes on the Harvard Commencements and on the

<sup>1</sup> With this account it may be interesting to compare that given by Mr. Adams himself. See *Memoirs of J. Q. Adams*, vol. x. pp. 378, 379.

Phi Beta Kappa Anniversaries. His account of the graduating exercises of the Divinity School in 1886 is, however, worth reproducing on account of three of the class, George E. Ellis, Theodore Parker, and John S. Dwight, the latter of whom did so much for the advancement of musical taste in this community.

Wednesday, 20 July, at the XX<sup>th</sup> annual visitation of the Divinity School, at Cambridge, every one of which I have attended. The day was fine.

The exercises commenced precisely at X with a prayer of 13 minutes by Prof. Palfrey.

#### Dissertations.

I. The imputed tendency of Biblical studies to impair the devotional spirit, by Wm. Silsbee, of Salem, 21 min.

II. The Gnostic philosophy, and allusions to it in the New Testament. Theodore Parker of Lexington. 19 min.

Mr. Parker has had no collegiate education; yet his attainments in the School have been quite respectable. He has made such advances in the Hebrew language as to teach it in College. His dissertation evinced a thorough knowledge of his subject, written with purity, and delivered with simplicity.

III. The preacher's estimation of his work, expressed in this line of Herbert, "The pulpit is his joy and theme." Abiel Abbot Livermore, Wilton, N. H. 21 min.

This was a sound composition, in exact resemblance of the style of the eminent divine to whom he refers.

An anthem was then sung by the students, "O praise God in his holiness."

IV. The connexion of the Christian doctrine with Christian morality. Oliver Capen Everett. 25.

V. The history, character, and uses of the Latin Vulgate, and its influence on the formation of the received text of the N. T. Geo. Edward Ellis. 21.

This was an ingenious discussion of the subject, written with much simplicity and perspicuity, and delivered in a very appropriate manner.

VI. The proper character of poetry & music for public worship. John Sullivan Dwight. 33.

This was a charming composition and happily delivered. Some of his positions were perhaps exaggerated, and some might admit a difference of opinion. But as a whole it was a highly acceptable performance.

Anthem, "Holy, holy, holy L. G. of Sabaoth."

VII. The duty of a pastor in respect to the intellectual improvement of his charge. Richard Thomas Austin. 24.

The least meritorious production of the day.

VIII. The encouragements of the ministry at the present time. Samuel Page Andrews. 20.

Hymn, "Father of light, conduct my feet," &c.

The services as a whole were better than common. Silsbee, Livermore, Everett, Ellis, Dwight, Andrews are Cambridge scholars. Austin was of Bowdoin College. He has lately had his name altered from Seiders to Austin, the name of the lady to whom he is engaged. Parker, though not from any College, yet has made improvements which may well put to the blush many who are thus educated.

This was the fullest audience ever witnessed on a similar occasion. The company at dinner was the largest I have witnessed. At table Professor Chase, of the Baptist Institution, Newton, asked the blessing. Rev. Dr. Gray returned thanks.

It grieved me to see so much wine provided, and to observe so many clergymen drink so freely of it. When will this stumbling block to the temperance reformation be frowned into darkness!

At a little before IV the Philanthropic Society held their annual meeting, Oliver Capen Everett in the chair. Dr. Ware, Jr., opened the meeting with an appropriate prayer of 3 minutes. Sears, Secretary,<sup>1</sup> read a report, by which it appeared that during the year the Society has holden 19 meetings and made 13 reports.

I. On Sabbath Schools. The great obstacles to their usefulness were considered to be the immature and mechanical manner in which they were conducted.

II. On Mobs. The principal causes are uninformed popular sympathies; the natural tendencies of Associations.

It has for several years been popular since Dr. Channing gave the cue to exclaim against Associations, when most of the good done at Cambridge is by means of Associations, and at the very time when these Cambridge declaimers are associating to effect their purposes. In a word they have formed an Association to put down Associations. In like manner, since Dr. Walker has been riding his hobby of our spiritual nature, this is the fashionable topic with the young men of the School.

III. On Slavery, in which it was maintained that there is no necessary incompatibility between Colonization and Abolition principles.

IV. On School Teachers.

V. On Missions. This must have been a somewhat speculative

<sup>1</sup> Edmund H. Sears of the Junior Class — a member of the Historical Society from 1857 to 1876.

subject to a School which does nothing toward foreign missions, and whose pupils have a great dread of settling far from home, even in their own country, and for the most part desert their border situations whenever they can find an opening near the place of their nativity.

VI. On the Temperance Reform. This must have received but a feeble impulse from supporters who will not relinquish their wine, cider, strong beer, and other intoxicating drinks.

VII. On Catholicism. Catholicity would have been a less equivocal and more descriptive term.

VIII. On Swedenborgianism. It was summarily decided by these young doctors that the miracles in the system are not properly supported; and that the discriminating doctrines are not sustained by reason or scripture.

IX. Associations, — dangerous!!! & yet nothing great or good effected without them; opposed also by a formal Association!!!!

X. On Physical Education.

XI. On Theology in Germany. Rationalists & Mystics.

XII. On Esthetics.

XIII. On Prisons.

To this report succeeded discussions.

I. The subject proposed was on the means of increasing sympathy among Christians.

1. The Rev. A. B. Muzzey of Cambridgeport spoke 10 minutes.

He despaired of union with the Orthodox, because they would not allow Unitarians to be Christians. He thought that the best way to convince them of their error was to exhibit the Christian life and spirit.

2. Rev. Joshua Himes spoke 16 minutes, so scatteringly that I could gather nothing of what he said.

3. Rev. J. B. Thompson<sup>1</sup> of Salem spoke 12 minutes, with as little point.

4. Mr. Fanning of the Christian denomination, Nashville, Tenn., spoke 15 minutes altogether in general.

II. A second topic was proposed, — What is wanting to render public religious services more effectual?

After waiting some time for some one to arise the Rev. Mr. Babidge of Pepperrell spoke 11 minutes on the former subject. He dwelt principally on the need of sympathy which clergymen in his situation experienced, and urged the necessity of extending sympathy toward them.

<sup>1</sup> This is one of the instances, not uncommon in the later volumes of the Memoirs, in which Dr. Pierce made a mistake in a name. It should be James W. Thompson. He was a graduate of Brown University and of the Harvard Divinity School, and was successively settled at South Natick, Salem, and Jamaica Plain. He was held in high esteem by his contemporaries.

After a dead silence for some time Dr. Ware, Jr., arose and moved to this effect, that gentlemen desired to speak on such occasions consider it their duty to express their sentiments. Dr. Lowell objected on the ground that the persons to whom application was made might have special reasons for declining. While Dean Palfrey was preparing to modify the motion, Dr. Walker of Charlestown arose and suggested that the subject proposed was not the most suitable. Much had been said about union. He believed that it could not be forced, and that the only union worth anything came unasked, unsought, by the voluntary agreement of kindred souls.

I was never more impressed, at the whole of this meeting, with the conviction that it is a most awkward thing to speak on any subject merely because you are desired to say something, and not because you have anything to say. I should pronounce the whole a failure.

[Here follow the names of 71 persons present on this occasion.]

In 20 years 155 have left the Divinity School. Of these 109 have been ordained. Present incumbents 59 in the State + 23 out do. = 82. The past year 5 ordained in the State + 1 out do. = 6. Now belong to Mass. Conv. Cong. ministers 56. There have been dismissed who yet preach, 17. Candidates from the School, not been set<sup>d</sup> 25. Left preaching from various causes, 15. There have died  $\frac{1}{2}$  nearly of the whole, viz. 14. Of these were 5 who had been ordained. From the School there has been Swedenborgian 1; Episcopal 1; Orthodox 1; Universalist 1; and 1 has been insane.

Present candidates who have not been ordained:

[Here follow 26 names.]

This afternoon I desire to communicate the account of a journey to Washington made by Dr. Pierce in 1812, a few months after the declaration of war between Great Britain and the United States. It is a characteristic example of his method in recording his personal recollections.

*December, 1812. Journey to Washington.*

Having been urgently invited by my brother Lewis Tappan to accompany him to the city of Washington, after mature deliberation I consented, and accordingly left Brookline 1 Dec. on Tuesday, and went into Boston. I spent the night at Boyden's, an old, wretched tavern near the Market, with a view of being near the stage, supposing that it started from this place. The accommodations were worse than I ever found before. No wonder if a foreigner, tarrying over night in Boston at such a place as this, should give the town a bad character for filthiness and disturbance in its publick houses.

2 Dec., Wednesday. Started before daylight in the Albany stage. Had one agreeable companion, who accompanied me to Leicester only. We breakfasted at Eaton's in Framingham, dined at Sykes's in Worcester, and lodged at Draper's in Brookfield. Nothing remarkable occurred this day. I could not but observe, and be unpleasantly affected with the sight, that at almost every tavern throughout my journey and homeward there were great numbers of petty officers and soldiers belonging to the new army who were loitering away their time, and who appeared to care for nothing but to drink their grog and to pursue some foolish sports which might whirl away their time. Were the cause unquestionably good for which they are employed, there would be less ground of anxiety. But when I could not but consider them as employed to further the views of the grand tyrant of Europe my heart sickened at the contemplation.

3 Dec., Thursday. Breakfasted at Mellen's in Belchertown, and arrived a little past noon at my father Tappan's in Northampton,<sup>1</sup> where I joined my brother Lewis, and where we were allowed an hour by the stage driver to dine with a family party. My daughter Elisabeth was rejoiced to see me, and I could not but regret so short an interview. We passed the night at Mills's in Worthington, an uncommonly neat and fine tavern.

4 Dec., Friday. We went to Pittsfield to breakfast in a sleigh. The towns through which we passed were for the most part very hilly. At Pittsfield tried in vain to find my old friend Rev. Wm. Allen.<sup>2</sup> After breakfast passed on in plain sight of Lebanon Springs, over the worst hill which I ever encountered, to Nassau, where we dined at a tavern kept by John Stoddard, a broken merchant from Northampton. Our next stage was to Albany, where we arrived a little after sunset, passing through Greenbush, in full sight of the quarters of Gen. Dearborn's army. We put up at Gregory's, a famous hotel in Albany. In the evening we found the lodgings of brother Arthur Tappan and wife with whom we had a very pleasant interview.

5 Dec., Saturday. We walked over the city. The streets were very dirty. We observed great numbers of old Dutch houses with their ends toward the street. The Yankees, however, outnumber them at present. We visited Ames's portrait room, where we saw the likenesses of several of their most respectable characters. We went to Cook's reading room, a convenient place to read papers and consult

<sup>1</sup> Dr. Pierce was twice married. His second wife, to whom he was married in 1802, was Lucy, daughter of Benjamin Tappan of Northampton.

<sup>2</sup> Rev. William Allen, D.D., was born in Pittsfield Jan. 2, 1784, graduated at Harvard College in 1802, settled at Pittsfield in 1810, and died at Northampton July 16, 1868. He was successively President of Dartmouth College and President of Bowdoin College, but will be longest remembered for his well-known Biographical Dictionary.



maps. We here drank waters from the Ballstown and Congress springs. We observed a handsome new Dutch Reformed Church. I called on Judge Kent with a letter from Pres. Kirkland. He received me with great familiarity. He is a very plain, social, sensible, unaffected man. We saw Gov. Tompkins's house and Gen. Stephen Van Renssalaer, the patroon's, a little out of the city.

6 Dec., Lord's Day. Went in the morning to hear the Rev. Dr. Bradford. His clerk began the service by reading the twentieth chapter of Exodus, and then reading a psalm which he sang. Then Dr. B. prayed 15 minutes. I remarked this peculiarity among his people (Dutch Reformed) that they all sat during prayer, on what principle I cannot conceive. He preached a plain, sensible discourse from Acts xi. 26, "The disciples were called Christians first at Antioch." He is a tall, elegant man, a little short of 30 years old. He was the son of the Rev. Eben. Bradford of Rowley, and was educated at Providence, R. I. His mother is sister to Dr. Green, formerly of Philadelphia, now Pres. of Princeton College, by whom he was educated for the pulpit. In describing Christians he represented that they must believe in the divinity of Christ and in the atonement; but in which of the numerous senses adopted by professed Christians he did not designate. In one part of his sermon he inveighed against party names and against superstition and bigotry. His sermon was 38 minutes long. His style was for the most part pure; but he used in prayer the terms sin-hating, sin-forgiving. In the afternoon we went to the old Presbyterian church, to hear Dr. Neil. Gamaliel S. Olds, a candidate, preached for him from Psalm xcvi. 1, "The Lord reigneth," &c. He was stiff and awkward in his manner; but he gave a sensible discourse on divine sovereignty. In the evening I called on Dr. B. and took tea with him. He then accompanied me to Dr. Neil's. At nine o'clock in the evening the steamboat unexpectedly arrived from New York. We had despaired of its coming on account of the cold weather, and had taken passage in the stage, but our advance money was refunded.

7 Dec, Monday. In the morning we called with sister Frances on Mr. Bleeker, her relation, and on Chancellor Lansing. At 2½ p. m. we started in the Paragon steamboat for Hudson. At 7½ we arrived at Athens opposite to Hudson. We spent the night in the boat. It is 175 feet long, and has fine rooms and elegant accommodations. We were now 30 miles from Albany.

8 Dec., Tuesday. We passed over to Hudson city; the east side of the river, where we put up at Gen. Pepoon's tavern. Soon the Rev. John Chester called, and engaged me to preach an evening lecture. We accordingly went and took tea with him, and in the

evening I preached to a considerable congregation, from 1 Tim. i. 11, "The glorious gospel of the blessed God."

9 Dec., Wednesday. We walked over the city, examined the Academy; went up to the top of the high hill on which it stands, where we had a fine view of the Catskill mountains, Claverak, &c. We were introduced to Mr. Grosvenor, member elect of Congress, Mr. Elisha Williams, an elegant man and celebrated lawyer. I called also on John Swift, formerly from Roxbury, now deacon & elder of Mr. C.'s church. This morning there was great firing on receiving the news of the capture of the Macedonian by Com. Decatur in the United States.

At 2½ we started again in the steamboat, wind strong at N. W., having about 80 fellow passengers. It was pleasant to catch a view of elegant buildings and cultivated lands as we passed by them. We, however, went by some of the most interesting places by night.

10 Dec., Thursday, at 6½, by daylight, we arrived at the city of New York. Its appearance as we approached was quite interesting. The spires of churches, of which there are nearly 40, presented a delightful spectacle among the numerous houses and other buildings which arose to view. We were of course but 16 hours in sailing 130 miles.

We put up at Mrs. Keese's, a genteel house on Broadway, corner of Wall Street. After breakfast we called at the reading room; and I delivered letters. Called on Rev. Timo. Alden.<sup>1</sup> We visited the City Hall, a magnificent building. I was informed that it will cost a million of dollars. We saw the Mayor, De Witt Clinton, and two Aldermen trying criminals for petty offences. We went to the Museum, where were a variety of curiosities, natural and artificial. We walked round the Battery, bounded by North and by East river. It was truly melancholy to see the immense quantities of shipping lie useless at the wharves. They appeared not unlike to vast forests through which the fire had passed and left naked trunks of trees, the sad memorials of what they once were.

P. M., we went into every apartment in the City Hall. The Common Council chamber is one of the most elegant rooms in the known world. Bp. Cheverus informed me, on my return, that he never saw its equal in France or England. Round the room are hung elegant likenesses of most of their Governours.

<sup>1</sup> Rev. Timothy Alden, Jr., from May, 1808, to October, 1809, Librarian of the Historical Society, was born in Yarmouth, Mass., Aug. 28, 1771, graduated at Harvard College in 1794, in the class after Dr. Pierce, and died at Pittsburg, Penn., July 5, 1889. He was at one time President of Alleghany College, at Meadville, and is well known for his collection of American Epitaphs. See Proceedings, vol. i. *passim*; Sprague's Annals of the American Pulpit, vol. ii. pp. 449-454.

11 Dec., Friday. In the morning we rode to the State's prison, about 2 miles from our lodgings. It is a large and convenient place, surrounded by high and thick walls, on the top of which are sentry boxes at each corner, and sentries constantly on guard with arms. There were at this time five hundred prisoners. Various kinds of labour were going on. There was a general appearance of industry, neatness, and good order. In their chapel the clergymen of the city officiate in turns. I called on the Rev. William Harris, D.D., President of Columbia College, but he was from home. We next visited Paff's gallery of portraits, where we were highly gratified. The head of Grotius by Vandyke was truly interesting.

In the evening we attended the Rev. Dr. Mason's lecture preparatory to Communion.<sup>1</sup> His house, which is new, is singularly constructed. There is in front a large spacious porch, the width of the house. From this porch they enter upon the lower floor of the church by two doors which are in the direction of the side aisles. The pulpit is exactly in the middle between these two doors, and the back of it is on the porch. The pews, which are oblong, are on semi-circular arches, the centre of the pulpit being the radius. As you recede from the pulpit the rows of the pews gradually rise, till the last row becomes of the same height with the pulpit. The Dr. first read a psalm, which was sung from the barbarous Scotch version. He then prayed with fervour and interest 15 minutes. His sermon was from John v. 24, respecting passing from death unto life. The doctrine of the discourse, which went to establish total depravity, irresistible grace, and sudden conversion, seemed to be founded rather on the Scotch catechism than on the authority of the Bible. It was nearly an hour long, and was evidently an extempore effusion. Were I to judge of the Doctor by this specimen, I should not ascribe to him those pre-eminent talents which I have learned he possesses. I observed one young man in tears who I afterwards understood was one of his pupils in theology. After service I called and sat a short time with him. But as I came from a part of the country not famed for attachment to Scotch formularies of faith he appeared to treat me with coldness and distance very differently from the manner in which I saw him treated on his visit to Boston in the houses of my friends who differed equally from him in religious sentiments.

12 Dec., Saturday. I attended the worship of the Jews in their

<sup>1</sup> Rev. John M. Mason, D.D., was born in New York March 19, 1770, graduated at Columbia College in 1789, studied theology in Scotland, was settled over churches in New York, and was for a time President of Dickinson College. He died in his native city, Dec. 26, 1829. In his best days he had a great reputation as a pulpit orator. See Appleton's *Cyclopedia of American Biography*, vol. iv. pp. 245, 246.

synagogue in company with the Rev. Timo. Alden. The men occupy the lower floor. The women are in the gallery, which has a breast-work as high as their chins. The men wore white sashes; had wax candles burning; and went with great ceremony to the altar to take out a scroll on which was written their law. Their exercises, consisting of prayers and singing from the Psalms and recitations from the law, were performed by young and old altogether in the Hebrew language. They were very attentive to us; and finding that we could read Hebrew, they pointed out to us the places from which their services were taken.

After service we visited the Academy of Arts in a large building erected for Congress when they sat in New York. In the same building is the chamber of the New York Historical Society, the collections of which are far inferior to those of the M. H. S. Visited Columbia College. The Rev. Dr. Boden showed me the library of about 4,000 volumes, old and worn. Saw the different rooms where were the apparatus, &c., &c. The funds are small. The building is a long and ill-shapen stone edifice. At one end is a foundation for a wing, which they could never obtain money to finish. They have no catalogue of students or of graduates. Dr. Mason has been lately chosen Provost; and great expectations are entertained from this circumstance.

P. M. I called with Mr. Alden on Mr. Perrine, a Presbyterian minister, where I met Mr. Strong, another Presbyterian minister of the city.

13 Dec., Lord's Day. In the morning I went to Dr. Miller's church.<sup>1</sup> He preached from Isaiah liii. 6, "All we, like sheep, have gone," &c. It was a serious sermon on depravity, 45 minutes long, which had been evidently written & committed to memory. I communed with his church, consisting, I should suppose, of 140 members. He first made an address on the nature of the ordinance, without dismissing the assembly. A large table was spread in the front aisle which passes before the pulpit. As many of both sexes as could sit around it took their seats, and partook of the ordinance in both kinds. After this a hymn was given out and sung by those retiring from the table, and by another set approaching it. This ceremony took place 3 times; and at each time the ceremony was repeated with but little variation. This does not strike me as so properly communing together as is the custom in Congregational churches.

Dr. Miller merely asked me to officiate at one of the tables; and this

<sup>1</sup> Rev. Samuel Miller, D.D., was born in Dover, Del., Oct. 31, 1769, graduated at the University of Pennsylvania, and studied theology. From 1791 to 1813 he was settled in New York, and afterward was a professor in the Theological Seminary at Princeton, N. J., where he died Jan. 7, 1850. See Appleton's *Cyclopædia of American Biography*, vol. iv. p. 327.

was all the notice which he took of me, although I had a friendly letter of introduction from his old friend Dr. Eliot, although I had been in his company when he was at Boston, and although I at that time remained in the city 4 days. I am afraid that the consideration of my coming from Jerusalem occasioned this forbidding reserve.

P. M. I went to hear Dr. J. B. Romeyn, a popular Presbyterian. He is about 40 years old, and has a pleasant countenance and address. His text was II Cor. ii. 14, 15, "Unto the one we are a savour of death," &c. It was a very plain, unadorned, and unambitious discourse, delivered with great pathos, though without any motion of the hands. It was, I should judge, more than an hour long, yet a very full congregation appeared quite attentive through the whole. In his prayer he had this singular expression, "May we lay the hand of faith on the head of our substitute Jehovah Jesus!"

In the evening I went to Trinity Church, where was a large assembly of the gayest dressed people whom I ever saw at publick worship. Prayers were read by Mr. Sayre, who, I observed, with others in the church bowed at the name of Jesus. Mr. How preached from Hebrews i. 1, 2, 3, on the Trinity. His arguments were very trite and inconclusive. He affected the orator by uncommon gesticulation.

14 Dec., Monday. We took the accommodation stage for Philadelphia. In passing through New Jersey, what was most observable was the level roads, red, clayey sand and soil, fine travelling, the appearance of good husbandry, and several beautiful towns and villages. The season past was a fine season for corn, though the crops in New England were generally so miserable. The most interesting places are Newark, Elizabethtown, Princeton, Brunswick, and Trenton. A steamboat regularly passes from New York on the bay up the Raritan to Brunswick. From this place there is a portage to Trenton where another steamboat passes to Philadelphia, 30 miles. This day we dined in Milton, and passed the night at Princeton. The roads were so badly cut up by the heavy travelling from Brunswick that we went very slowly the latter part of the way. Arriving at Princeton after 9 in the evening I could not see the College.

15 Dec., Tuesday. We arrived at Trenton to breakfast. I saw the place where the Hessians were captured in our Revolutionary War, and the bridge in passing which Washington was welcomed on his way to New York to take the Presidency of the U. S. by ladies dressed in white and with baskets of flowers. We went, however, over a new chain bridge, over which we passed under cover. The first object we perceive on the Pennsylvania side is the late residence of Gen. Moreau. The house was burnt about a year ago. The appearance indicates that it was a magnificent seat. We were told that he contemplates rebuilding it. We observed in passing that it is common in Pennsylvania to

gather corn from the husks in the field; to construct their ovens by themselves at a little distance from their habitations; to build most of their houses and even barns in the country of stone; and to have a large proportion of their hay without cover, exposed to the elements. The road from Trenton to Philadelphia is very fine. We had frequent and interesting views of the Delaware. In the Middle States the people *reckon*, as much as the Yankees *guess*. They much more generally confound the persons of verbs and nouns, &c., as "the *lands is* good," &c., &c. A well dressed and intelligent gentleman got into the stage when we were quite crowded, for he said he wanted to get into town *very badly*. Though we pay stage fare for 100 miles from New York to Philadelphia, yet they call it to Princeton 50 miles, thence to Trenton 10 miles, & thence to Philadelphia 30 miles = 90 from city to city.

We took lodgings at Mrs. Benson's, an elegant boarding house. After dinner we went into the warm bath. The water was so hot that we were made very languid, and were exceedingly exposed to taking cold. We went to see the elephant, and then we visited Peale's Museum, which, it being the evening before market day, was much crowded.

16 Dec., Wednesday. It being market day we went early into Market Street. This is a fine, wide, and commodious street, commencing at the Delaware and extending toward the Schuylkill. The market house, beginning at the Delaware, is half a mile long. The street is so wide that teams can conveniently pass each other on each side of the house. At the end of the market house the large waggons are ranged as near together as they can stand, each drawn by five and sometimes six horses. They often carry  $4\frac{1}{2}$  tons in one waggon.

I was introduced to Mr. John Vaughan,<sup>1</sup> Mr. Taylor, and Mr. Edowes. Went into Dr. Staughton's new Baptist meeting. It is of a round form, having a covered baptistery in the middle of the broad aisle. Saw the Unitarian church, which is in a state of forwardness. Went to the Academy of Fine Arts. Saw many elegant statues. They are exhibited naked; yet we were told that nothing is more common than for ladies to go and see them, without, however, the company of men. The Pennsylvania Bank, the Philadelphia Bank, and the Masons' Hall are very elegant buildings of white marble.

P. M. We went to Beck's shot tower, near the Schuylkill. From the top of this, 166 feet, there is the best view of the city which you can find. I counted 254 steps, very steep in the ascent. Examined a curious steam engine which raises water from the Schuylkill to supply the city.

<sup>1</sup> John Vaughan, a younger brother of the more famous Benjamin Vaughan, Franklin's friend, was born in England Jan. 15, 1756, came to this country at an early age, and settled in Philadelphia where he died, Dec. 13, 1841. He was for many years Secretary of the American Philosophical Society.

Evening took tea at Mr. Buck's, a Hamburger, with Mrs. Nath. Higginson, aunt of Mrs. B. Several German ladies were there. After this Mrs. H. introduced me to Dr. Rush. He gave me this anecdote concerning Dr. Doddridge, communicated to him by Dr. Priestley. Dr. Doddridge once invited the famous Dr. James Foster on his travels through Northampton to preach for him. He accordingly preached in Dr. D.'s pulpit. This made a great hue and cry among the Orthodox. On Dr. D.'s going to London Mr. Buckland, bookseller in Paternoster Row, inquired of him concerning the fact. "Do you think," replied he with apparent seriousness, "that I would solicit the services of such a heretick?" This reply being carried to Dr. Foster, he says to the informant, "Do you ask Dr. D. from me, whether he did not invite me to preach for him, and whether I did not accordingly preach." These questions being put to Dr. D. he was exceedingly affected by a conviction of the duplicity which he had practised. Dr. Aikin, a pupil of Doddridge at the time of these transactions, gave Dr. Priestley this anecdote, and added that Dr. D. used to lay it to heart that he was guilty of such prevarication, so as to weep whenever the subject was started.

17 Dec., Thursday. In the morning Mr. James Taylor politely waited on us to the State's prison. We were conducted into its various apartments by Mr. Morris, a very pleasant and intelligent Quaker. There is the uniform appearance of uncommon neatness, industry, good order, and comfortable food and other accommodations. The number of convicts was 450. Few were kept together, to prevent as far as possible infection from evil examples. The only punishment which they inflict, besides reproof, is solitary confinement. There has been no instance of suicide; nor has there ever been an insurrection, although they have had but seven men, and these wholly without arms, to guard them. Their worship is conducted principally by Methodists. There is a larger and more commodious prison erecting a little out of the city. From this place we went to the Pennsylvania Hospital, a magnificent, neat, and charitable institution. Went into the museum attached to it, and saw the human frame in almost every state. The gardens around are very handsome. In the front there is a large brazen statue of Penn. We next visited the mint of the U. S. They were coining and milling half dollars. We then dined with Mr. John Vaughan, a bachelor, to whom I had letters. I was here introduced to the Abbé Correa, the most learned man that Portugal has produced. He has published several works, and is member of most of the learned institutions, both in Europe and America. Mr. Vaughan showed us after dinner, the library, museum, &c., of the American Philosophical Society. We went again into Peale's Museum. Saw the bones of the mammoth, a model of the machine for perpetual

motion, a curious optical fallacy in looking through complex mirrors. Mr. V. gave me this anecdote. When St. Pierre published his *Paul and Virginia*, a blooming young lady being delighted with the work determined to marry the author; and she accomplished her purpose by urging her own suit, though the disparity in their years was great. The Museum contains an immense collection of paintings, mostly by Peale, also numerous specimens of statues, birds, beasts, fishes, insects, reptiles, metals, minerals, coins, &c. It is visited by all ranks of people, as the fee for admission is but 25 cents. Visited the City Library left by an English gentleman. It is consulted gratis.

18 Dec., Friday. At 5 in the morning took passage in the Pilot stage with 6 others. Breakfasted at Chester in the tavern of Mr. Anderson, member of Congress. Dined at Elkton on Elk river. At sunset crossed the Susquehannah at Havre de Grace, and supped on canvas backed ducks, where we lodged. In this part of the country we pass no churches on the road. The common people almost universally appear idle and profane, and discover great want of common education. A decent looking man said, "I have never *went* to Baltimore by land." Another said he lived a *little piece* from such a place. We this day travelled 25 miles in the State of Delaware, passing through Wilmington, its capital. This is a town of some trade and of considerable importance. Most of their fences here are of hedge. Throughout this part of Delaware and the State of Maryland there are scarcely any bridges in the roads. They have very small barns, as the cattle are in the fields most of the winter.

19 Dec., Saturday. At a little past noon arrived at Gadsby's, a famous hotel in Baltimore. Next door to the bar-room is a barber's shop with four attendants. On arriving our names were entered in a book, and our room was shown us. Immediately a black servant presented himself who was always at our command while we tarried. Water is conveyed by pipes to an entry, where we wash with the most perfect convenience. After dinner went to see the first house in Gay Street occupied by Wagner the printer which was wholly demolished by an unprincipled mob.<sup>1</sup> Saw also the castle of the Spartan band, so called, in Charles Street, where Hanson and Wagner's friends, headed by Gen. Lee, so valiantly defended themselves. The doors and windows were broken in. Went next to the goal where such horrid scenes took place. Called on my old friend Eben. Wales and on Thomas Vose, with whom I took tea.

20 Dec., Lord's Day. Preached all day for Dr. Inglis, a Presby-

<sup>1</sup> The Baltimore riot, to which there are frequent references in the following pages, occurred in July, 1812. It was the direct consequence of the angry and excited state of political feeling everywhere prevalent at that time. See Hildreth's *History of the United States*, vol. vi. pp. 325-333; Henry Adams's *History of the United States*, vol. vi. pp. 406-409.



terian minister.<sup>1</sup> Had among my hearers Robert Smith, late Secretary of State, and family, Senator Sam. Smith's family, Gen. Stricker, John E. Hall, one of the Spartan band, &c., &c. By the influence of the Catholics in this city Dr. Inglis's wife's sister assumed the veil, and went clandestinely to a nunnery in New Orleans. Dr. Inglis informed me that he heard the Rev. Dr. Alexander Proudfit of Salem, N. Y., say in a sermon that "Christ was the greatest sufferer, because he was the greatest sinner." In the evening heard Mr. Dashiell, an Episcopal Methodist, from II Peter, ii. 9, "God knoweth how to deliver the godly out of tempta<sup>n</sup>." It was a ranting extemporaneous effusion; and after sermon he made a prayer of great length and violence. Dr. Ben, an Episcopal clergyman, is supposed to have sickened and died on account of the hazards to which his son was exposed in defending the freedom of the press at Baltimore. For immediately after that event he declined and expired. What increased his unhappiness was that he could not consent that his son should run the hazard of coming to see him while he lived.

21 Dec., Monday. Mr. Appleton, Mr. Wales, and Mr. Payson called at my lodgings, and invited me to dine. We walked down to Fell's Point of famous mob memory. Called on Ardelia Williams and Mrs. Benj. Williams. Dined at Mr. Appleton's with the aforementioned gentlemen, and took tea at Mr. Payson's.

22 Dec., Tuesday. At 6 in the morning took passage in the Vigilance, with brother Lewis Tappan, Wm. Tucker, & Senator Worthington. At 2 arrived at Washington in a tempest of dust, and put up at Davis's hotel. After dinner went to hear the debates in Congress on the final question, Whether the penal bonds of the merchants to the 1 Aug., 1812, shall be cancelled. Carried, 62 against 58. Heard Macon of N. C., Little of M'd, and Roberts of P'a against the merchants & Nelson of Virginia in their favour. Cheeves resembles the Rev. Joshua Bates of Dedham, and Speaker Clay the Rev. Dan' Dana of Newbury Port. At 6 we took a hack and went to Georgetown to take tea at Isaac S. Gardner's with his father, Gen. Gardner.

23 Dec., Wednesday. Attended debates in Congress on the navy bill, which proposes 6 additional frigates and 4 74s. Heard McKee, Allston, N. C., Milnor, Bassett, Seybert, Stow, Widgery and Potter. Carried in the affirmative, 70 to 56. Potter of R. I. & Champion of Con. the only Federalists against it. A message was communicated from the President relating to the appropriation of the sum voted by Congress in 1805 to Com. Decatur for his valour, &c. The inquiry

<sup>1</sup> Rev. James Inglis, D.D., was born in Philadelphia in 1777, graduated at Columbia College in 1796, and was ordained in 1802 over the First Presbyterian Church, Baltimore, where he died in 1820. See Sprague's *Annals of the American Pulpit*, vol. iv. pp. 278-284.

was started by Mr. Quincy, who was chairman of the committee. Gholson moved that this communication be referred to the Naval Committee. Mr. D. R. Williams moved to refer it to the committee of investigation, of which Q. was one. Mr. Randolph moved that it be referred to a committee of the whole house that it might be fairly investigated. Thus I had an opportunity to hear Mr. Randolph for the first time. His first appearance promises but little. But his manner is interesting and his eloquence enchanting.

In the evening Mr. Reed of Marblehead called on us in his carriage to go to Mrs. Madison's drawing room. We arrived at about 7, and found a richly furnished room and a splendid company. We were first ushered into a large hall, supported by pillars, where we took off our coats and hats. We were immediately introduced to Mrs. Madison, who received us with great politeness. The President made us on our introduction very stiff and formal bows. Mrs. M., though originally of a Quaker family, was dressed very splendidly with a crown on her head. Her face and neck were obviously daubed with paint so as fairly to glisten. There were two rooms for the guests, around which were elegant seats covered with red morocco, with cushions of the same kind. On these the ladies were seated. The men generally stood, or walked about the rooms. The President paid no attention to the ladies, but was all the time engaged in conversing with the men. The officers of the navy talked with him considerably. But what was most disgusting was to see him in a long, close, and what appeared confidential conversation with Gales, the imported editor of the *National Intelligencer*. The President is a short and small man, with a face shrivelled with care. He is bald, has large earlocks, a club behind precisely like Dr. Osgood's. I watched him a great part of the evening, and in no instance was his face illumined with a smile. No wonder, if he soberly reflects on the evils which he has been instrumental of bringing upon his country. I was introduced to Col. Monroe, who has most of the appearance of a gentleman of any at the palace. I was next introduced to Mons. Gallatin, Sec. of the Treasury. He has quite an original countenance, a dark complexion, black hair, a bald foretop, a large and aquiline nose, black and piercing eyes. Indeed, there is in his appearance a great degree of cunning. Judge Duvall is an old and pleasant man. I saw Mons. Serrurier, the French minister, but did not court an introduction to him. He is about 35 years old, has a lively countenance, dresses well, and powders greatly. Mr. John Gore and wife were there from Boston, as also Mr. Motley, Mr. Hastings, and Gen. Gardner of Brookline.

24 Dec., Thursday. Called to see the patent office. Then we attended the launching of the ship *Adams* at the Navy Yard. After the launch went to the sail loft, where I saw Com. Tingey, Paul

Hamilton, Sec. of Navy, Mad. Jerome Bonaparte and her hopeful son, and Mr. Thompson who was so nearly a victim to the brutal ferocity of the Baltimore mob. The gentlemen and ladies danced in the Southern or French style.

25 Dec., Christmas. At 9½ we took a hack for Alexandria, 6½ miles. We crossed the Potowmack over a bridge which is more than a mile long, said to be the longest in the United States. Arrived at Alexandria at 11, and alighted at Triplett's hotel. Went immediately to Dr. Muir's Presbyterian church,<sup>1</sup> and heard Dr. Inglis of Baltimore from Acts x. 43, "To him give all the prophets witness." The discourse was appropriate and well delivered. Dined with Mr. Chs. I. Catlett, to whom I had a letter from S. Higginson, Jr., with b'r Tappan, two Mr. Perkins's, Dr. Muir, & Dr. Inglis. After dinner Gen. Henry Lee, the confidential friend of Washington, an old Revolutionary officer, called. He was very severely handled by the Baltimore mob. His head was covered with a black cloth, where the miscreants had wounded him. His face was covered with scars. His nose had been split longitudinally, and his left eye nearly closed. He knew nothing of Hanson's design to defend his house, when he left Alexandria for Baltimore. His business there was merely to contract with a printer for the publication of his memoirs. He told me that the Spartan band could have defended the house had they not been persuaded to surrender to the civil authority. Had the cannon been fired which was planted before the house he had agreed with 9 others to rush out and take it. Maj. Barney coming up prevented the firing of the cannon, and thus probably saved the lives of great numbers. Gen. Lee knew nothing after his blow early in the evening till midnight. He mentioned the great benefits rendered to the wounded by a pedlar called the Boston Beauty, who was the means of causing the mob to desist from the murder of several. Had they carried arms to the gaol they could have defended themselves. He told several anecdotes of Washington. He was his primary agent for the spy department. When Washington was about accepting the command of the armies of the U. S. he told at Mr. Jas. Riddle's, "If there be an honest patriot in the country, and I believe there are many, Timothy Pickering stands pre-eminent."

Mrs. Catlett is Ann, daughter of Bryan, Lord Fairfax, clergyman of the Episcopal church where Mr. Mead now officiates. She is a handsome, social, and intelligent person. She showed me several letters written by Gen. Washington to her father, persuading him to

<sup>1</sup> Rev. James Muir, D.D., was born at Cumnock in Scotland, April 12, 1757, graduated at the University of Glasgow in 1776, and for several years lived in the island of Bermuda. In 1788 he came to the United States, and in the following year was ordained minister of the Presbyterian Church in Alexandria. He died there Aug. 8, 1820. See Sprague's *Annals of the American Pulpit*, vol. iii. pp. 516-521.

favour the cause of the revolutionists, which he however persisted in opposing.

26 Dec., Saturday. Went in a coach to Mt. Vernon, the seat of the immortal Washington, with Gen. Gardner, two Messrs. Perkins, Mr. Holbrook, and Mr. Winston, a Quaker. We arrived at 11 A. M. The surrounding lands are poor. The place itself is indeed rapidly going to decay. We passed through three gates, connected on each side with lodges for negroes, before we arrived at the mansion house. We get within a few rods of it before it is seen. I had a letter from Mr. Quincy to Bushrod Washington, but he was absent. His steward and gardener showed us the place. Few articles of furniture remain as they were, having been dispersed among his friends. We saw the key and a description of the Bastille in Paris, presented to W. by La Fayette, as also a picture of Louis XVI. Around the parlour fire-place are the most elegant mantle and sides which I have ever seen. It consists of rural scenery finely sculptured in Italian marble. I observed the chamber where W. breathed his last, but it being now the sleeping chamber of the present Mrs. W. we could not of course enter it. We ascertained by the domesticks that W. took his last cold not merely by riding over his farm exposed to a storm of sleet, but by standing a long time in the cold, giving directions about a front path from his house to the river, which path we saw as he left it. When he was buried his corpse lay a long time in the portico. This, it is thought, so familiarized the sight to several of the attendants as to impair the solemnity of the scene. For several became intoxicated, so as to carry away in their pockets whole fowls and even bottles of wine! Of this I was informed by Dr. Dick. The gardener showed us the greenhouse where were considerable quantities of oranges, lemons, and pineapples, but little else.

The house is of an oblong form, with a double front, one facing the river, and the other the garden behind. It presents a fine and extensive view of the Potowmac, which you take from a portico which extends the whole length of the house in front. Toward the river, which is a few rods only from the house, there is a very steep declivity, which used to be improved as a park for deer. Indeed, as far as the eye can reach in all directions from the house, scarcely anything is observable but the river and immense forests.

After contemplating every thing in & around the mansion of the illustrious hero we repaired to the family vault, a few rods southwest from the house to behold his remains. The tomb is excavated from the side of a hill. It is arched at the top, & planted with red cedars. The entrance is at first horizontal. Then you descend a few steps into the bottom of the tomb. It contains 13 coffins. There is nothing to distinguish the coffins of W. and his wife from the others, and indeed

from coffins constructed for common people, but the depredations which the curiosity of visitants has induced them to commit. They were both pine coffins covered with black broadcloth. All the cloth is torn from his coffin, and visitants have begun to cut shavings from the wood itself. The cloth of Mrs. W.'s is not yet wholly removed. I acknowledge that I could not resist the common propensity to bear away some however small memorials of greatness. Accordingly I took a small shaving from W.'s coffin, and a piece of cloth of the size of a  $4\frac{1}{2}$ <sup>d</sup> from that of his wife. It is said that W.'s body was first placed in a leaden coffin which is enclosed by pine. We were told that one of the servants in the family some time ago attempted to steal the skull of W. with a view to carry it to Europe and make gain by exhibiting it. He, however, by mistake got a skull of W.'s uncle; and he was detected in the theft before he had an opportunity of escaping with the spoil.

Coming away we took a glass of wine in the mansion house, and on passing through the first gate we saw the General's favourite servant William for whom he provided in his will. He is now 67 years old, bent down with infirmities, but he appears much as he is represented in the family group of W. Tears ran down his withered cheeks as we recalled to his mind the dear image of his master. On mentioning that we came from Boston and its vicinity his curiosity was greatly excited, and he asked several questions respecting the early scenes of the war, which he himself had witnessed. As we proceeded further a brother of William presented himself at the second gate with a decanter, which was genteely asking alms. We had no disposition to mistake the meaning of such hints. As we came to the third gate an old negro presented himself, having on a cocked hat formerly worn by his master. Our Quaker friend purchased a small piece of it as a curiosity for which he gave a dollar. On our return we dined at the tavern.

P. M. I met with Dr. Muir and the communicants of his church to unite in religious services preparatory to the Communion on the morrow. The exercises consisted of reading the Scriptures, an extemporaneous address by Dr. M., and prayers by Dr. Inglis and myself.

In the evening I preached in his church from Rom. viii. 28, "We know that all things," &c.

I spent the night at Mr. Vowell's, a genteel family, and one of the elders. At family devotions besides reading the Scriptures they sing, and all kneel during prayer. In these services even their blacks joined with great apparent devotion.

27 Dec., Lord's Day. In the morning Dr. Inglis of Baltimore preached a good sermon, from II Peter, iii. 18, "Who once suffered for sins," &c. It was 45 minutes long, and delivered mostly from memory, with many rhetorical flourishes. Then came the Communion

services. There were 3 tables full, amounting in the whole to about 80. Dr. Muir served the first, Dr. Inglis the second, and Mr. Balch of Georgetown the third. We were 3 hours in the whole service. I dined at Mrs. Fendell's, sister of Gen. Lee, with Mr. Holbrook.

P. M. I preached on self government, Prov. xvi. 32, "He that is slow to anger," &c.

In the evening went to Mr. Mead's Episcopal church. He being absent in the country on account of the sickness of his wife, Dr. Inglis preached, by request of the wardens and vestry of the church, from Luke ii. 29, 30, "Lord, now lettest thou thy servant depart in peace," &c. I spent the night at Mr. Catlett's, where we performed family devotion kneeling.

28 Dec., Monday. Breakfasted at Dr. Muir's with Dr. Dick, one of the attending physicians on Washington in his last illness. He remarked to me that humanly speaking the life of W. might have been spared by opening the windpipe, as his complaint was the same which in children is called croup. He and Craik agreed in opinion, but Dr. Brown dissented, and the plan was frustrated. As to W. closing his own eyes, he heard nothing of it at the time, though with him to the last, and thinks it a mere spasmodick motion. The last words he uttered were, "Dr., I think I die hard." This Dr. Dick was in early life very dissipated. On meeting with a series of domestick afflictions he turned his attention to religious inquiries, and became constant at publick worship, sometimes with Presbyterians, then with Episcopalians, Methodists, and Baptists, and finally became a Quaker, in which sect he was originally educated.

At 10 A. M. rode in a very full stage to Washington. Put up at Miss Hyer's. Attended debates in Congress. Dined with Mr. Bleeker, member from Albany, to whom I had a letter. He informed me that he knew of but 5 or 6 gentlemen in Albany who were not in the habit of attending publick worship constantly both parts of the day.

Took tea at Mrs. Aborn's, formerly from Brookline. Several members of Congress present.

29 Dec., Tuesday. Attended debates in Congress. Heard David R. Williams make a very boisterous and inflammatory speech on introducing the bill for adding 20 regiments to the army. Dined with Messrs. Lloyd and Quincy in company with Benj. Joy and brother Tappan. Took tea with Mr. and Mrs. John Gore.

30 Dec., Wednesday. Went to Georgetown to breakfast with brother T. Visited a Lancaster school in that place instructed by Mr. Oulds, a pupil of Lancaster himself. He exhibited very surprising improvements of his pupils. Went to the cannon foundery. They were boring the cannon from a solid mass of iron by machinery carried by water. Called to see Alex. C. Hanson. He was absent. Returned

to the Capitol, and attended debates. Heard Grundy, Pearson, Talliaferro, Stow, Findley, Baker, D. R. Williams, Ely, Rhea, Goldsborough, Bibb, Widgery, Troup, Gold, Fisk, Quincy, and Desha.

31 Dec., Thursday. Gen. Gardner and I started in the Vigilance for Baltimore on our return home. Brother Tappan is to continue for some time longer. We arrived at Baltimore at about 3 o'clock, P. M., and made several calls.

#### January, 1813.

1 Jan., Friday. We took the Pilot stage for Philadelphia. We dined at Elkton, 53 miles from Baltimore, and passed the night at Weld's in Wilmington, Delaware.

2 Jan., Saturday. We breakfasted at Anderson's in Chester, and at 2 P. M. arrived at Philadelphia. We put up at Mrs. Benson's. After dinner we called on Mr. Taylor, Rev. Philip F. Mayer,<sup>1</sup> Bishop White, Mrs. Hill, Mrs. Nath. Higginson. Tea at Mr. Mayer's. He gave thanks at table after tea, sitting. No blessing was asked. I find this position is universal in the Middle and Southern States, wherever such a ceremony takes place. This afternoon was very rainy.

3 Jan., Lord's Day. Preached at Mr. Vaughan's church from Mat. xxii. 38, "This is the first and great commandment." Dined with the Rev. Mr. Mayer, and preached for him in the afternoon, from John xviii. 36, "My kingdom is not of this world." After service I was highly entertained with the manner in which Mr. M. addressed his children. There were present 75 boys, 56 girls = 131. Mr. M. mentioned two visionary Swedenborgians at Lancaster, Penn., who to arrive at the greatest perfection agreed to abstain from all animal food. One relented and recovered. The other persisted and died. Tea with Mr. Taylor. Called on several.

4 Jan., Monday. At 3 in the morning started with Gen. Gardner in the Pilot for New York. Breakfasted at Trenton. Dined at Bridgeton. Passed the night at Paulus Hook. Just before arriving at the latter place the horses started at a broken chair, and we were very providentially preserved from being thrown into the ditch!

5 Jan., Tuesday. After breakfast crossed the Hudson, and put up at the City Hotel, New York. Called at several places. Took tea with Mr. Alden.

6 Jan., Wednesday. Took stage for New Haven. Saw the declivity at Horse Neck down which Gen. Putnam fled from the enemy in the Revolutionary War in a very extraordinary manner. Called at

<sup>1</sup> Rev. Philip F. Mayer was born in New York April 1, 1781, and graduated at Columbia College in 1799, studied theology, and was ordained over an English Lutheran church in Philadelphia in 1806. He died there April 16, 1858. See Appleton's Cyclopædia of American Biography, vol. iv. pp. 274, 275.

West Farms, twelve miles from the city, to see my brother Lemuel. In going to this place we went over Haerlem bridge, built over a creek of the same name which extends from East River to the Hudson, and makes the city of New York an island. This bridge is 8 miles from the Battery, at the mouth of the Hudson. We dined this day at Stratford, Connecticut, and spent the night at Nichols's, New Haven.

7 Jan., Thursday. This morning we might have taken the stage at 4, and arrived at Brookline the next day, had not Nichols, with whom we spent the night, deceived us. The only motive which he could have, as far as we could ascertain, was to detain us at his house to breakfast. This gave us a most disgusting specimen of the selfishness which some of the baser sort are capable of practising. We accordingly took passage in a stage which went late in the morning to Hartford only. We arrived at sunset. . . .

At New Haven viewed the Colleges. There are three of the size of those in Cambridge, although not in so good repair, for the accommodation of students. Besides these they have a chapel and reciting halls. The old brick church is just taken down to be rebuilt. At 9 started for Hartford. We dined at Durham, and arrived by sunset at Bennett's in Hartford. At 7 called to see the Rev. Dr. Strong, who although he was well as usual had gone to bed.<sup>1</sup>

8 January, Friday. At noon took stage. Spent the night at Ashford in Connecticut, after a bitter cold day's ride.

9 January, Saturday. We breakfasted at Thompson, dined at Clark's, Medfield, and arrived at home in Brookline at six o'clock in the evening, 40 days from my departure.

Mr. Goodhue of Baltimore and Mr. Emery of Philadelphia both remarked that it was a common saying in their respective cities that *their* inhabitants were most distinguished for *religion*, while they acknowledged that the people of Boston and vicinity had the most *morality*!!!

Rev. Dr. Inglis of Baltimore informed me that Hanson and others had enjoyed better health than before since the violent treatment which they had experienced from the Baltimore mob. Mr. H. in particular had some internal complaint from an adhesion of some of the parts to the pleura, but the violent stamping on his breast had occasioned a separation of them, and copious bleeding had restored and confirmed his health.

<sup>1</sup> Rev. Nathan Strong, D.D., was born in Coventry, Conn., Oct. 5, 1748, graduated at Yale College in 1769, and was settled over the First Church in Hartford Jan. 5, 1774. He continued sole pastor of that church until a few weeks before his death, Dec. 25, 1816. Among his numerous publications was an octavo volume of upward of four hundred pages, entitled "The Doctrine of Eternal Misery reconcilable with the Infinite Benevolence of God, and a truth plainly asserted in the Christian Scriptures." See Dexter's Yale Biographies, third series, pp. 857-863.



Mr. Dashiell of Baltimore, a sort of Episcopal Methodist, addressing his hearers in an extempore discourse warned them against hell, saying "What a *miserable crew* will ye be in that place of torment!"

Gen. Henry Lee informed me at Mr. Catlett's, Alexandria, that Washington some time before his death spoke to him plainly of the deceitfulness and hypocrisy of Jefferson.

Dr. Inglis, Dr. Muir, and Gen. Lee spoke of the known and acknowledged piety of Gen. Lingan, who was murdered by the Baltimore mob. Gen. Lee remarked that his life might have been spared had he not attempted to expostulate with the wretches, and showed them the wounds which he received in his country's cause, while they were in France or among the bogs of Ireland.

Called in the evening of the 3d of Jan. to hear Dr. Staughton, a famous Baptist preacher in Philadelphia. He was just closing, and I could perceive by his tones one great source of his popularity. He has a large, new, elegant house, of a rotund form, which was entirely full. There is a baptistery in the middle of the church. Notwithstanding his great popularity, and the large numbers who flock to hear him, he is obliged to keep an apothecary's shop for his support. This is owing to several causes. It is natural for the sect to have more faith than works. Generosity is a carnal virtue. Besides the hearers are commonly among the poor in this world's goods, who are as unable as they are unwilling to support their minister.

I was charmed with the catholicism of the ministers and people of Alexandria. The Episcopalians, Presbyterians, and Methodists have unrestrained religious as well as civil intercourse. I heard a Presbyterian preach an evening lecture in an Episcopal church by desire of the wardens and vestry.

At Philadelphia, I ascertained by Mr. John Vaughan that there are in that city 50 churches of all the different denominations.

To this narrative I will now add only two other citations. The first is Dr. Pierce's account of one of his last interviews with John Quincy Adams. It is as follows:—

Lord's Day, 28 July, 1844, I exchanged with the Rev. Wm. Parsons Lunt of Quincy, and dined with Hon. John Quincy Adams, Ex-President. He has not yet wholly recovered from bruises occasioned by a fall from a platform as he was passing from the cars to the steamboat, travelling from Washington home. It was dark. He heard a rumbling noise as if the baggage car was coming upon him. In leaping aside to save himself he fell from a platform on to the stones, about 4 feet, and dragged his wife with him. They were both badly bruised, but no limbs were broken, a remarkable preservation!

Mr. Adams appears much feebler than did his father at his age. He

assigns as one reason of this difference that his father almost wholly abstained from public business on leaving the Presidency at 66, while he, now past 77, has been uninterruptedly engaged in public affairs.

In speaking of the Rev. Anthony Wibird, the minister of Quincy during Mr. A.'s youth, he observed that they met at his uncle Cranch's, and that Mr. W. afterward said to his uncle that his interview with the youth reminded him of that poetical line, —

“Curse on the stripling! how he apes his sire.”

In his room there was a picture of Edward Boylston, son of Edward, who was brother of his great-grandfather Peter. Consequently Edward Boylston, Jr., was cousin of Mr. Adams's grandmother, Susanna Adams (Boylston). This was a handsome picture, with a letter in the hand directed to the elder Professor Wigglesworth. Boylston sent the picture from the West Indies to his mother in Boston. Professor Wigglesworth claimed the picture on the ground of the letter directed to him. On the death of the mother the picture was sent to him, John Adams carrying it to him in his Freshman year, 1751. On the death of Professor Wigglesworth, Ward Nicholas Boylston purchased this picture at auction, and presented it to the elder Adams.

Mr. Adams spoke with high admiration of George S. Hillard's two orations which he has heard, the first when Mr. H. was graduated, but especially his  $\Phi$  B K oration on the last August. He contrasted it to the first 13 5 March & 4 July orations, greatly in preference of Mr. H.'s composition. He thought these orations as a whole were poor and lean productions.

He spoke of his Class at College. Freeman, as I had heard before, had the closing oration, the most honorable assignment at Commencement, on the ground of being considered the best writer, a very handsome & graceful young man, and one of the best speakers who was ever educated at Harvard University. Mr. Adams did not consider him the best scholar in the Class. He believed that this honor belonged to Bridge.

Asa Johnson, the oldest in the Class, and a great metaphysician, was an avowed atheist, the only person of this description whom Mr. Adams has ever known. He had a perfect self-command, which could not be shaken by any excitement which he produced in his fellow disputants. He was afterwards a lawyer in Worcester county, and maintained a respectable standing in character and profession.

Freeman was intended for the ministry, but after leaving College he studied law, married early, and went to Congress. He . . . [died] when a little past 30 years of age.<sup>1</sup>

<sup>1</sup> In the issues of the Triennial Catalogue of Harvard University since 1864, and in the Quinquennials, Nathaniel Freeman, who died in 1800, is errone-

President Adams confirmed the accounts which have been current of his grandfather Smith's sermons on the marriage of his daughters. The Rev. William Smith, native of Charlestown, H. U. 1725, was ordained in Weymouth 4 Dec., 1734, and died 29 Sep., 1783, æ. 77.

At the marriage of his daughter Mary to Judge Cranch, greatly approving of the match, he preached from Luke x. 42, "Mary hath chosen that good part which shall not be taken from her."

At the marriage of Abigail to John Adams, a lawyer, he preached with reference to the prejudices of the common people against that profession, Mat. xi. 18, "John came neither eating nor drinking, & they say he hath a devil."

When his daughter Elisabeth was married to the Rev. John Shaw of Haverhill, his text was John i. 6, "There was a man sent from God, whose name was John."

These women, whose mother was a Quincy, though educated in the obscure country town of Weymouth, were among the best educated females of the day, especially the distinguished wife of the celebrated John Adams.

The other citation is one of the latest and best of Dr. Pierce's characterizations of a contemporary, — that of Rev. Samuel Ripley of Waltham, a member of this Society from 1820 to 1847. It fitly supplements the notice of Mr. Ripley which was prepared by his son, the late Hon. C. G. Ripley, at the request of the Committee for publishing the Early Proceedings.<sup>1</sup>

Events are often occurring in God's providential government of the world which serve to exhibit in a striking point of view the uncertainty of human life, and the vanity of all expectations which centre in the present state. Of this kind is not only the melancholy providence last related,<sup>2</sup> but also the recent sudden demise of the Rev. Samuel Ripley, successor for a number of years of the Rev. Jacob Cushing, D. D., of Waltham, but for some time past an inhabitant of Concord, and a stated supply of a new small church in the neighboring town of Lincoln.

Samuel Ripley was born in Concord on 11 March, 1783, son of Dr. Ezra Ripley, who died on 21 September, 1841, a little past 90 years of age, having sustained a ministry of 62 y. 10 m. 13 da. His mother was

ously described as a member of the Historical Society. His father, of the same name, was elected a member in October, 1792, and the name was borne on the roll of members until October, 1808. See Proceedings, vol. i. pp. 48, 44, 190, 500 n. See also Freeman's History of Cape Cod, vol. i. p. 561; vol. ii. p. 148; Thacher's Medical Biography, vol. ii. pp. 241-246.

<sup>1</sup> Proceedings, vol. ii. pp. 392-394.

<sup>2</sup> The death of Hon. Alexander H. Everett, June 29, 1847.

Phebe Bliss, daughter of a former minister of Concord, and when he married her, the widow of the Rev. William Emerson.

Mr. Ripley was fitted for college by his father, and was graduated, a respectable scholar, in the class of 1804, consisting at graduation of 60, but which is now reduced to 24 who remain among the living. The reason his name does not appear on the order of exercises at Commencement is that he obtained leave of absence before the parts for Commencement were assigned, in order to go into a family in the city of Washington as a private tutor. He, however, did not allow his occupation as the preceptor of youth to interfere with his favorite purpose of preparation for the ministry. But studying divinity with his father, he was ordained 22 November, 1809, successor of Dr. Jacob Cushing, 57 years to a day after the ordination of his immediate predecessor. The salary voted him was \$700, without any other consideration. This evidently was insufficient for the support of a family.

Soon after ordination he married Sarah Bradford, daughter of Capt. Gamaliel Bradford, then resident in Charlestown. As she brought him no dowry but her highly cultivated mind, and as they judged it expedient to erect a large and expensive house, it became indispensable that they should make provision by other means besides his salary for the payment of their debts and the support of their family. The method which they united to employ was the tuition of children, particularly the preparation of young men for the University. For such a purpose their house was specially designed; and a great aid in carrying this design into effect was the co-operation of his accomplished wife, who, it has been confidently maintained, understands 7 foreign languages, Latin, Greek, Hebrew, French, Italian, Spanish, and German, probably better than any other man or woman in the United States. But her knowledge is not confined to the learned languages alone. But she is as accomplished in domestic concerns as in mental cultivation. The circumstance which contributed to her acquaintance with the care of a family was the loss of her mother by death when she herself was quite young. This led her father to depend wholly on her for the conduct of his household concerns. Thus trained from early youth, she became admirably qualified to manage her own family when it was enlarged, not only by the increase of her own children, but also by the admission of pupils into the household. Not only was Mrs. Ripley "a help meet for her husband" in transacting his domestic concerns, but also in instructing the children. When scholars are dismissed from the University to prosecute their college studies at the place of their suspension, she has been enabled to instruct them in their most advanced studies. With such a partner, and by diligent attention to the duties of his profession, Mr. Ripley was enabled respectably to discharge his

official duties as pastor as well as the management of the pupils intrusted to his care.

His course for the most part was independent. He at first commenced his ministry with asserting his right to vote at the election of rulers. But this measure gave such irreconcilable offence to some of his political opponents who possessed great influence among his people, that he was at length reluctantly induced to forego his right of voting for offices of the state and general governments.

In process of time so difficult had it become to prepare for the pulpit, to visit his people, and at the same time pay suitable attention to his flock, that he at length judged it expedient to have a colleague. Accordingly when he was 58½, and had been ordained 32 years, the Rev. George F. Simmons, who afterwards became his son-in-law, was ordained his colleague 27 October, 1841. His ministry, however, from a variety of causes was destined to be short. He was succeeded by the Rev. Thomas Hill, who was ordained 24 December, 1845.<sup>1</sup>

Early in 1846, Mr. Ripley, having retired from the ministry in Waltham, sold his estate there, and taken charge of a small society in Lincoln, removed to his father's house in Concord. Here he indulged the fond hope of enjoying a vigorous old age in the bosom of his family, among the few surviving friends of his youth and his riper years, and in the quiet discharge of pastoral duties among the little flock which he had taken under his special care. But the providence of God had other designs. Truly, "man appoints; but God disappoints." On 24 November [1847], the day before the last Thanksgiving, Mr. Ripley had ridden in his carriage to a neighboring railroad depot to convey to his house some family connexions who had come to pass that season of festivity at his house. On his return, in the dusk of the evening, and in a violent tempest of rain, without the slightest premonition, he fell back in his carriage; and when light was brought from a house which they were passing it was soon ascertained that life had become extinct! Alas! how sudden the transition for his family from the height of anticipation to the deepest depression! Surely, "in the midst of life we are in death." "Verily every man, at his best estate, is altogether vanity."

Two of Mr. Ripley's sons have been graduated at Harvard University; Christopher Gore Ripley, in 1841, and Ezra Ripley, in 1846.

Considering the multiplicity of Mr. Ripley's avocations he was more than commonly acceptable as a preacher in the surrounding parishes.

<sup>1</sup> Dr. Pierce was present at the ordination of Mr. Ripley, and at that of Mr. Simmons; but he was not present at the ordination of Mr. Hill, probably on account of his visit to Plymouth two days before. Mr. Ripley belonged to what was called the Liberal party, and after he had exhibited a written confession of faith to the Council, he was subjected to a rigid examination by the so-called Orthodox members. His answers were not satisfactory to them, and on a motion to "proceed to the ordination," four would not assent to it.

He preached his 32d and 33d sermons in Brookline on 24 Nov., 1839, just 8 years to a day previously to his death. In this last day of his service here, he discussed "the great and precious promises of the gospel," which, it is devoutly to be hoped, he has gone to participate. He has left a wife who is an ornament to her sex, 2 sons and 5 daughters. He has survived his venerable father but 6 years, 2 months, and 3 days. It is very observable that in a large Association of ministers, on the death of his father he became, as next in age, the moderator. His predecessor, the venerable Dr. Jacob Cushing, gave me the solemn charge at my ordination; and his successor, the Rev. Thomas Hill, gave the right hand of fellowship at the late ordination of my colleague.<sup>1</sup>

Mr. FRANKLIN B. SANBORN presented to the Library a copy of the fourth edition of Thomas Watson's "Body of Divinity," which had belonged to Rev. William Smith of Weymouth, father of Mrs. John Adams. It consists of "above one hundred and seventy-six sermons on the Lesser Catechism," and long enjoyed a great degree of popularity, having been reprinted so recently as 1855, more than a century and a half after its first publication.

The new volume of Collections — Seventh Series, Volume V. — was on the table for distribution to those members who had not already received it.

<sup>1</sup> In the foregoing characterization Dr. Pierce fell into some errors in regard to Mr. Ripley. He not only studied divinity with his father, but also in the College at Cambridge, and was not married until nearly nine years after ordination. In this interval he built the house referred to by Dr. Pierce, and carried on a school in addition to discharging his ministerial duties. At the time of his marriage he had fourteen pupils. After his marriage the plan of his school was much enlarged, and he was greatly aided by his accomplished wife, whose acquirements, however, are here somewhat exaggerated. An excellent memoir of Mr. Ripley, with extracts from his correspondence, was privately printed in 1897 by his son-in-law, our late associate Mr. James B. Thayer.

MEMOIR  
OF  
HENRY WALBRIDGE TAFT.

BY JAMES M. BARKER.

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THE subject of this memoir was a Resident Member of the Society from the year 1894 until his death, on September 22, 1904, at the age of eighty-five years, ten months, and nine days.

Although fond of historical research, owing to his advanced age and the remoteness of his home from the place of the meetings of the Society, he never took part in its discussions or contributed to its Proceedings.

It is fortunate that the story of his life, nearly to the end, can be stated here in his own words. Among his papers and in his own handwriting has been found the following sketch prepared by him for a relative in the West about the year 1900:—

Henry Walbridge Taft, son of Horace W. and Mary (Montague) Taft, was born at Sunderland, Massachusetts, November 13, 1818. He partly fitted for college at Amherst Academy, but various hindrances prevented his entering upon a college course. He spent a year and upward (1836–1837) at Greenfield in the office of Elijah Alvord, Esq., then Clerk of the Courts and Register of Probate for Franklin County. The experience obtained in this service was a material advantage to him in the early years of his professional life.

In the spring of 1838, at the request of a relative who had a business interest in the paper, he assumed the editorial charge of the "Massachusetts Eagle," the leading Whig newspaper of Berkshire County, then published at Lenox and still continued at Pittsfield under the name of the "Berkshire





# MEMOIR

## HENRY WAINWRIGHT TAFT.

BY J. M. BARKER.

Henry Wainwright Taft was a President Member of the Massachusetts Historical Society, and died on September 27, 1907, after a long illness, of five years, ten months, and nine days. He was a man of great intellectual research, owing to his advanced age, he was unable to leave his home from the place of his birth, and, therefore, he never took part in its general proceedings. The following is the story of his life, nearly to the end of his own words. Among his papers and books has been found the following sketch written by him in the West about the year

1820. Henry Wainwright Taft was the son of Horace W. and Mary (Mott) Taft, of Taunton, Massachusetts, November 1, 1820. He was born at Taunton, Massachusetts, and his father was a farmer. He received his education upon a college farm at Taunton (1836-1837) at Taunton, Massachusetts, then Clerk of the Court for Franklin County. His service was a maternal advantage in his professional life. He was a member of the Massachusetts Historical Society, and was the request of a relative who had business in Taunton, he assumed the editorial charge of the "Taunton Herald," the leading Whig newspaper of the County, then published at Taunton and still published at Taunton. The name of the "Berkshire



*Henry M. Taylor*

# MEMOIR

## HENRY WATKINS RIDGE TAFT.

BY J. M. HARKER.

Mr. Taft was a President Member of the Massachusetts Historical Society from 1881 until his death, on September 27, 1895, having been elected to that office for five years, ten months, and nine days.

His scientific and historical research, owing to his advanced age, was confined to his home from the place of the day of his birth. He never took part in its discussions or its Proceedings.

He has left the story of his life, nearly to the end, in his own words. Among his papers and among his books has been found the following sketch of his life in the West about the year

1825. He was the son of Horace W. and Mary (Morse) Taft, of Andover, Massachusetts, New York. He was educated at Andover Academy, and then at the University of Vermont (1825-1827) at Greenfield, Vermont, then Clerk of the Court for Franklin County. The service was a material advantage to his professional life.

In the year 1827, at the request of a relative who had business interests in the paper, he assumed the editorial charge of the "Massachusetts Herald," the leading Westchester paper of the County. He published at Lenox and still at Pittsfield under the name of the "Berkshire



*Henry M. Taylor*



County Eagle." In this employment he passed the remainder of the year 1838 and part of the following year, and again took charge of the paper for a few months during the presidential campaign of 1840. In the mean time he had entered the office of the late Judge Henry W. Bishop at Lenox as a student at law; and in the summer of 1841 he received an offer of copartnership from Robbins Kellogg, Esq., a lawyer of many years' standing in the neighboring town of West Stockbridge, then in failing health. He accepted the offer and removed to West Stockbridge in August, 1841, and was admitted to the bar at the following October term at Lenox. In the month of November of the same year Mr. Kellogg died, leaving his professional business in the hands of Mr. Taft, who continued the practice of his profession at West Stockbridge until the close of the year 1852. He represented the town in the Legislature of 1847.

In the early part of the year 1853 Mr. Taft was appointed Register of Probate for the County of Berkshire and removed to Lenox. He continued there in the practice of his profession and in the discharge of his official duties for about two years, when, in common with several Massachusetts office-holders who declined to give in their adhesion to the new Native American or "Know Nothing" party which had triumphed in the election of November, 1854, he was removed from office.

In January, 1856, he was appointed by the Supreme Judicial Court of Massachusetts Clerk of the Court for the County of Berkshire. By a change in the Constitution this office became elective in the same year, and he was chosen for the full term of five years, and has since held the office by eight successive elections, his last term closing January 6, 1897, when he retired, having declined a re-election, after serving for the full period of forty-one years.

Mr. Taft removed in 1871 from Lenox to Pittsfield, where he has since resided. The new Court House was first used for the session of the full bench of the Supreme Judicial Court September 11th of that year. The first day's session was given up to appropriate dedicatory exercises, and Mr. Taft delivered the address.

During the period which has elapsed since his admission to the bar he has settled many estates as executor or trustee, and tried very many cases in his own and the adjoining counties

as auditor, master, or referee. He was for seventeen years a trustee of the State Lunatic Hospital at Northampton. He has been president of the Third National Bank of Pittsfield since its organization in 1881. He is a member of the Massachusetts Historical Society, the American Antiquarian Society, and several local societies of kindred character.

When he retired from the office of Clerk the members of the bar joined in a request for his portrait. He assented and the portrait has been painted and placed in the Court House.

Mr. Taft was married at Lenox, October 12, 1842, to Harriet Worthington, daughter of Dr. Charles Worthington. She died on October 17, 1860. On October 2, 1862, he was married to Lucy N. Raymond, of Lenox, who died on January 26, 1904. There was no issue by either marriage.

Mr. Taft was calm and gentle in temperament, yet firm, decided, and industrious. In person he was tall and of slender figure. His manners and dress were those of the courteous officials of the old school, so well known to the country life of New England. His probity, his well-known religious feeling, his business sense, and wide knowledge of law and of affairs gained for him a high place in the community where he lived.

His recreation and delight were in the line of historical and genealogical investigation and in the collection of autographs. Two valuable volumes of his collections, through the courtesy of his heir and of the executor of his will, have been given to this Society.

Besides his leading articles in the files of the "Massachusetts Eagle," his printed works are a "History of the Town of Sunderland down to the Year 1753," a "Genealogical Record of the Inhabitants of Sunderland," a sketch "Sunderland Village, 1825-30," an "Historical Address at the Dedication of the Berkshire Court House, 1871," and a "Judicial History of Berkshire."

The Sunderland papers are to be found in a volume entitled "History of Sunderland, 1673-1899," published at Greenfield in the year 1899, to which he also contributed the preface.

For the Monday Evening Club of Pittsfield he wrote essays on "Rights of Property," "One Hundred Years Ago

(1872)," "Our National Dangers," "History and Archæology," "Random Thoughts," "The Tories of New England," "Municipal Government," "Domestic Life in New England Sixty Years Ago (1884)," "Popular Fallacies," and a "Memoir of George Patrick Briggs."

A more extended account of Mr. Taft's life and works will be found in the Transactions of the Berkshire Historical and Scientific Association for the year 1905.



## NOVEMBER MEETING, 1905.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock P. M.; the President in the chair. The record of the October meeting was read and approved. The Librarian read the list of donors to the library during the last month, and called particular attention to three recently published volumes by members of the Society: the exhaustive work on "The England and Holland of the Pilgrims," begun by Rev. Dr. Henry M. Dexter and completed by his son, Rev. Morton Dexter; Mr. Stanwood's "Life of James G. Blaine"; and Mr. T. W. Higginson's "Part of a Man's Life." The Cabinet-Keeper called attention to two canes bequeathed to the Society by Dr. John Chester Lyman, of Chicago, a member of the Lyman family of Northampton, Mass., and read the following extracts from a memorandum annexed to the will of Dr. Lyman:—

"Constitution Cane: One evening in 1833 the U. S. Frigate 'Constitution,' Old Ironsides, sailed into Charlestown Navy Yard, Boston harbor, for its first general overhauling since the war of 1812. My father, a boy of sixteen, was then working for George Howes of Boston. At noon on the day after the 'Constitution' arrived, he went over to the navy yard with a boy friend. They found that the sailors and workmen had gone to their dinner, leaving only one man in charge. The boys climbed on board and asked the man for something as a souvenir. He good-naturedly took them down into the extreme bottom of the hold, and, together, with axes and crowbars, they ripped out a long piece of the keelson or false keel. Dividing this between them, my father had his piece made into a cane for his grandfather. The following day orders were issued prohibiting any one on board, so great was the rush of visitors seeking mementoes. After his grandfather's death my father took possession of the cane. It has been in the family ever since my earliest recollection. It has an ivory knob, and a wide silver band marked 'Taken from the keel of the Constitution and presented to S. Hinckley by his grandson J. H. Lyman, June 26th, 1833.'—For disposition see Kearsarge Cane—below. It is in Hadley, Mass.

"Kearsarge Cane: In 1872 my father, mother, and myself went to California. About that time the U. S. Man-of-War 'Kearsarge' arrived at Mare Island navy yard for its first general overhauling since the war of the Rebellion. James Laidley was collector of the Port of San Francisco, and obtained for some carpenter work on the famous vessel. In return he saved for Laidley some old water-soaked oak taken from the ship. My father's youngest brother David was then connected with the internal revenue department in San Francisco. Laidley's father had been an employee of my grandfather, and young Laidley, my father, and my uncle David had been favorite playmates in boyhood. Laidley had two canes made from this oak from the Kearsarge and gave one to my father and one to my uncle. They have Walrus ivory handles with gold quartz in the end of them and narrow gold bands. I have my father's cane marked 'Kearsarge J. L. to J. H. L.' It is in Hadley, Mass. In settling my estate I direct that if these two canes from the 'Constitution' and the 'Kearsarge' can together be sold for \$500.00, well and good. If not, I direct that they shall be given to the Army and Navy Museum in Washington, D. C., if there is such an institution *owned by the U. S. Govt.*, and if it wants them; if not, to the Mass. Historical Society in Boston, Mass., with a copy of above descriptions."

WILLIAM A. DUNNING, LL.D., of Columbia University, a Corresponding Member, read the following paper:—

*A Little More Light on Andrew Johnson.*

It was not the fate of Andrew Johnson, during his service as President of the United States, to enjoy an overflowing measure of popularity and good repute. The unfortunate exhibition which he made of himself at his inauguration as Vice-President put him under a sinister cloud whose shadow remained over him for some time after his accession to the Presidency, in the spring of 1865; and after February, 1866, the incidents of his conflict with Congress made him the object of more widespread hatred and more virulent vituperation than has been the lot, perhaps, of any other man in exalted public station. Between the earlier and the later seasons of obloquy, however, there was a period during which President Johnson occupied a singularly high position in general public esteem. During the summer and the autumn months of 1865 the organs of popular opinion were practically unanimous in praise of the dignity, patriotism, and high purpose which were displayed in the conduct of the administration. Though doubt

as to the wisdom of the President's policy in the South was deep and widespread, there was no disposition to attribute to him other than statesmanlike motives ; and outside of a very small number of vehement Radicals, a willingness to let his plan of Reconstruction have a fair trial was everywhere manifested.

The good judgment displayed by Mr. Johnson and his advisers was an important factor in the pleasant situation in which the administration found itself. Of equal importance, however, were the peculiar conditions prevailing at the time in the field of party politics. The Republican party had practically lost its identity early in the war, and in 1864 its very name had been formally and officially abandoned. The convention that nominated Lincoln and Johnson had deliberately and ostentatiously assumed the character of a constituent assembly for the organization of a new party, and the name adopted was the Union Party. With the successful termination of the war, however, the single purpose which had given coherence to this new party had been achieved and the whole situation became chaotic. A revival of ante-bellum Republicanism was out of the question ; for by the ratification of the Thirteenth Amendment during the summer and autumn of 1865 the issue which alone had given existence and character to the Republican party was removed from controversy. What, then, was to hold together the voters who had elected Lincoln and Johnson ? Nothing, apparently, save the offices and a traditional hostility to the Democratic organization. But hostility to the Democracy was becoming impossible to those who followed the administration. The course of the President during the summer in reference to the South had brought the Democratic leaders, hesitatingly and cautiously but nevertheless certainly, to his support. A concerted movement had begun to rally the ante-bellum Jacksonian Democracy to the standard of the administration. The letter files of the President offer abundant evidence of the strength and importance of this movement. There may be read words of confidence and eulogy from such sturdy, if now retired, old war horses as Amos Kendall, Duff Green, and Francis P. Blair, Sr. There may be traced the process through which many of the War Democrats resumed their long vacant places in the councils of the old party and gradually moulded it to the support of Andrew Johnson.

The net result of the party situation just sketched was that overt opposition to the administration could not be said to exist. Though the radical faction of the Union party were busily working to organize in Congress resistance to the President's policy, their activity did not manifest itself openly, and the normal adherence to tradition and to the offices kept the state organizations of the party loyal to Mr. Johnson. At the same time the Democratic organizations also refrained from antagonizing him. Accordingly the President had the agreeable experience — probably unprecedented since nominating conventions developed — of receiving in a number of States the hearty endorsement of both parties in connection with the autumn State elections.

It was while the influence of this unique situation was at its maximum that Mr. Johnson was called upon to prepare his first annual message. The reception which this state paper met with was the climax of the brief popularity which it was his fortune to experience. The verdict of contemporaries was, almost without a dissenting voice, that the message was a model of what such a paper should be. The judgments of the leading New York journals are typical. The Tribune and Times, which, under Greeley and Raymond, were *a priori* incapable of agreement on any topic, defied logic and agreed on this. The Times declared the views of the message to be "full of wisdom," and to be expressed "with great force and dignity." The Tribune doubted "whether any former message has . . . contained so much that will be generally and justly approved, and so little that will or should provoke dissent." The Evening Post found it "frank, dignified, direct, and manly," with not a "single ambiguous sentence." To the Herald also it appeared "smoothly written," "clear," and "frank." The Nation — and here was praise from the very throne itself — declared that any American might read it with pride, and found solid hope for democracy in the fact that such a document should have been produced by "this Tennessean tailor, who was toiling for his daily bread in the humblest of employments when the chiefs of all other countries were reaping every advantage which school, college, or social position could furnish."

This same tone of admiration was common to observers outside of journalism. Secretary McCullough considered it "one

of the most judicious executive papers which was ever sent to Congress." Charles Francis Adams, minister to Great Britain, thought nothing better had been produced "even when Washington was chief and Hamilton his financier." The Johnson papers contain great numbers of congratulatory letters, in which the same tone is manifest, though these, designed for Johnson's own eye, need not be quoted as conclusive of their writers' opinions. Only two of these may be referred to as indicating what was expected to be the effect of the message. George Bancroft wrote that everybody approved the message, and that "in less than twenty days the extreme radical opposition will be over"; and Oliver P. Morton assured the President that his policy would be endorsed by the great body of the people, and urged Johnson to use his patronage unsparingly to crush the congressional opposition.

In running through the mass of comment on the message it is clear that the form and style attracted quite as much attention as the substance; and there is everywhere manifest, in qualified critics, a subdued amazement that Andrew Johnson should have produced just the sort of literature that the paper embodied. In the speeches and miscellaneous papers through which his style was known to the public, the smoothness, dignity, and elegance in expression that ran through the message were conspicuously absent, and there was no like dependence for effect on the orderly marshalling of clear but moderately formulated thoughts. Mr. Johnson had not yet, indeed, gained his unpleasant notoriety as a brawler on the platform; but he had a well-established reputation as a hard hitter in debate, who depended for effect on vehemence and iteration rather than subtlety and penetration.

The striking incongruity between the message and Mr. Johnson's other papers has never caused, so far as I know, any well-grounded denial of authorship to the President. In the Washington correspondence of the New York Nation of December 14, 1865, it is said:—

"Some there are who have an intimate persuasion that the entire message is the composition of Secretary Seward. But those who are nearest to the matter aver that the Secretary of State is only responsible for the portion relating to foreign affairs, with an occasional retouching elsewhere of the expression, while President Johnson can claim full credit for the rest."

Mr. Blaine, when reviewing the period, was evidently impressed by the un-Johnsonese character of the message, and was thus easily led to support the view mentioned by the Nation's correspondent. "The moderation in language [I quote Blaine's words] and the general conservatism which distinguished the message were perhaps justly attributed to Mr. Seward." Mr. Rhodes, in his fifth volume, indicates that his trained critical faculty gave him very serious doubts in respect to this matter, but that the doubts were almost overcome. "If Andrew Johnson wrote it [he says] — and the weight of authority seems to imply that he did — it shows that he ought always to have addressed his countrymen in carefully prepared letters and messages."

It is in the hope of contributing something to the elucidation of this matter of authorship that I have ventured to ask the attention of the Society to-day.

Some months ago I spent a few days in looking over the Johnson papers, now in the Library of Congress. I had no particular object in view, but was on a general foraging expedition through the material, ready for anything that might turn up. Least of all had I in mind the matter of the authorship of Johnson's first message. While going through the files of letters received, my curiosity was momentarily aroused by a note marked "private and confidential" (one always is unduly attracted by that label), and signed by a man of wide reputation, whose name had never, however, been prominently associated, so far as I knew, with the career of President Johnson. The note was so worded as to conceal entirely the matter concerning which it was written, but indicated a relation of a very intimate nature between the writer and the President. I made a memorandum of the letter, with a query as to what it was about, and dismissed it from my mind.

Several days later I was looking through the series of large envelopes containing the preparatory notes and various draughts of each of Johnson's messages. In most cases the envelope devoted to a particular message contains a considerable number of more or less full draughts, in various handwritings, of the treatment to be given to special topics, while the final draught of the message is in the clear, formal hand of a copying clerk. The annual message of 1865, however, differs from all the rest. The envelope devoted to it contains noth-

ing of consequence save a complete draught of the message, in a uniform hand which is not that of either Johnson or any other person in the executive service at the time. As I was turning over the pages of this manuscript and wondering with mild curiosity why the first message should have come down in a shape so different from the rest, I was joined by Mr. Worthington C. Ford, Chief of the Bureau of Manuscripts. All of us here know Ford, — how he has a sort of sixth sense by which he can locate, at any range less than five hundred miles, any manuscript important in American history, and can identify at sight the chirography of any man who has figured in that history since 1492. Ford, glancing over the pages before me, observed in his quiet, casual way: "That looks like the handwriting of" so and so. I at once was struck with the force of the suggestion, since I had seen something of the writing of the person named. But what in a moment struck me as of particular significance was the fact that the name mentioned by Ford was the same name that was signed to the "private and confidential" letter mentioned above. Why this coincidence especially roused my interest will be apparent when the precise tenor of the letter is stated. It runs thus:

"My task will be done to-morrow, but as no one knows what I am about and as I am my own secretary, I must ask a day or two more for a careful revision and for making a clean copy, which must be done with my own hand."

Recalling this passage in the letter and my curiosity as to what this task might have been, I hastily looked up my notes to see what the date of the letter was. It proved to be November 9, 1865. This was, of course, the precise time at which the message must have been nearing completion, for it had to be sent to Congress on December 5. The handwriting of the letter was, when compared, beyond all question the same as that of the manuscript draught. There is thus no room to doubt that the task referred to in the letter was the writing of Andrew Johnson's first annual message, and that the manuscript in the Library of Congress is the "clean copy" which the author made about the middle of November with his "own hand." A collation of the manuscript with the text of the message as sent in was made by Mr. Ford last September, revealing that practically the only differences, apart from the insertion of

the routine paragraphs summarizing the work of the various executive departments, were such modifications of phraseology as would be likely to be made by the writer himself in proof.

That Mr. Johnson himself did not write the final draught of his message, is thus conclusively established. To what degree the actual writer was dependent upon the directions of the President — whether he was a draughtsman with full discretion or merely a literary reviser of Johnson's own draught — does not appear from the evidence at hand. The age, learning, political experience, and literary reputation of the actual writer render it *a priori* improbable that he would have needed or submitted to very rigorous restriction by a man of Johnson's antecedents. The East Tennessee mountaineer whose boast that he feared no one was doubtless the truth, must nevertheless, under the responsibility with which his crude but honest nature was now burdened, have looked up with sincere respect and deference to a man eight years his senior, whose early life had been passed amid the best cultural influences of his native Massachusetts, whose middle life had found him in the high places of power and dignity of the same party which Johnson was serving in lower places, and whose declining years were being devoted to the glorification, by the ways of literature, research, and learning, of that people and that constitution which were the theme of all the President's declamation and the object of all his fealty. It is *a priori* improbable, I say, that Andrew Johnson exercised very close supervision over the construction of this message; for the man who actually wrote it was no less well qualified a person than George Bancroft.

That Johnson's most praised state paper was the product, not of his own, but of a more competent writer's pen, is from the standpoint of serious history an interesting rather than an important fact. Neither constitution, law, nor custom has ever required that a President of the United States should personally frame his messages to Congress or other official documents, and it would be a safe conjecture that a relatively small proportion of such papers in our history have embodied the unaided labor of the men by whom they are signed. It is unusual, however, for a President to intrust the preparation of important papers to persons wholly outside the circle of his



official advisers. Mr. Johnson's cabinet included at least two members, Stanton and Seward, whose qualifications for preparing the message were beyond question. If Stanton be considered as not available because of the indications he had already given of lack of sympathy with the President's policy, still Seward remains, — a man whose opinions, whose experience, and whose ability made him apparently the one person to whom resort should be made for the task in hand. It is not surprising that the widespread contemporary sentiment which Blaine reflected should have attributed a dominant influence in the message to Seward. Now that we know otherwise, now that we have found that a mind of totally different antecedents and training gave the final impress to the paper, we may possibly get some useful sidelights on the history of the time by speculating on the motives which actuated the President in having recourse to an outsider. Thus the discovery of the authorship may become important as well as interesting.

It should be understood, in the first place, that the intimate relations of Bancroft and Johnson are demonstrated by other evidence than that already adduced, and that the authorship of the message throws an entertaining light on some of their later correspondence. The letter already referred to, for example, in which Bancroft tells Johnson that everybody approves the message, rings with a different tone when we know with what personal interest and satisfaction Bancroft recorded this fact. Another letter, written just before Congress met, reveals Bancroft as a diligent laborer in the cause of the President's policy, though in this particular case the effectiveness of his efforts was impaired by the fact that they were exerted upon that particularly tough subject, Charles Sumner. Under date of December 1, Bancroft tells Johnson that he has just had a two or three hours' talk with Sumner, and tried to calm him on the suffrage question (fancy anybody calming Sumner on the suffrage question!); that Sumner was bent on making some speeches in the Senate, but intended to cultivate friendly relations with Johnson and would call on him; that Sumner agreed with Johnson on foreign relations, and that therefore the President might do well to conciliate the Senator by "a little freedom of conversation on foreign affairs." We know, from Pierce's memoir of Sumner, the sequel of this amiable attempt to make oil and water mix. The Senator called on

the President, found him, like so many another who failed to be convinced of the righteousness of Sumner's views, hopelessly dull and wrong-headed, and left the White House to turn upon its occupant the turbid stream of Demosthenian and Ciceronian invective which had hitherto been directed at only the slaveholder and the rebel.

A little later Bancroft was greatly perturbed, as well as honored, by an invitation to deliver the oration on Lincoln which was to be the central feature of a memorial service of the two Houses. In a hasty note of January 8, he asks Johnson concisely, "What shall I do?" Why he should have thought it necessary to get the President's direction, does not appear. We know from Gideon Welles, however, that politics and the tension between Radicals and Conservatives were operative in connection with this memorial service, and that Stanton, who had first been selected as orator of the day, had been dropped as too radical and too little in sympathy with the dead President's Reconstruction policy. Possibly Bancroft feared some scheme to compromise him with Johnson, and hence took the precaution of consulting the President. At all events, the answer must have been favorable to acceptance, for Bancroft did deliver the address.

These incidents all confirm the personal intimacy between Bancroft and Johnson; they do not, however, explain why Johnson should have intrusted the historian with a task of such fundamental political significance as the construction of the message. While we must, for such explanation, enter the field of conjecture rather than of history, I am disposed to believe that the clue is to be found in a consideration of Bancroft's political past and of Johnson's projects for a political future.

It is unnecessary to detain the Massachusetts Historical Society with a description of George Bancroft's politics. His early apostasy from the federalism which dominated his family, his college, and his whole social and literary *milieu* is almost what Professor Hart would call an "essential" of Massachusetts history. He was the bright particular star of the unspeakable Jacksonian Democracy in his native State, was collector of the Port of Boston under Van Buren, was Secretary of the Navy and Minister to Great Britain under Polk, and remained steadfast in the Democratic faith till the wartime.

Then, in the stress of arms, he became conspicuous among those so-called War Democrats whose fusion with the heterogeneous and ill-compacted Republican party so transformed it that its identity was quite lost. In behalf of the Union Bancroft wrote, spoke, and schemed with all the nervous and not always well-directed energy that was characteristic of him. It is a fact of some local interest in New York that his unqualified devotion to the cause of the Union contributed in some degree to make him president of the Century Club, — a distinction that really distinguishes in that philistine town.

This record of rock-ribbed democracy and Unionism could not but have been very impressive to Andrew Johnson, whose own record was closely parallel to it. By the autumn of 1865 the President, as abundant evidence shows, had become definitively committed to the general policy of giving to the Union party, now that the distinctive object of its organization had been attained, a character that should perpetuate the ideals and traditions of the ante-bellum and anti-secession Democracy. From the Radicalism that was seeking to revolutionize the social and political system, he turned by the instinct of his nature; from the Whiggery which might offer a refuge to conservatism, he turned by the habit of a life-long hostility. The principles and the men of the old Democratic party must, in his mind, now dominate the political situation. What were the principles of the old Democracy as they had been iterated and reiterated in Johnson's speeches? Government for and by the masses of the people; the sanctity and far-reaching autonomy of the States; the beneficence and perpetuity of the Union; the supreme and divinely inspired excellence of the Constitution; and the manifest destiny of the United States to lead all mankind in political wisdom and in the ways of righteousness and enlightenment. But even as we read this noble and exalted if somewhat Chauvinistic list, does it not seem to every one who knows even superficially the writings of George Bancroft that we are cataloguing the principles and ideals which *he* systematically ascribed to his native land? No Prussian scholar of the Bismarckian era was ever more certain that the goal of all history, when scientifically interpreted, was the unification of Germany under the Hohenzollerns, than Bancroft was that the climax of humanity's political achievement was the American republic and its

Constitution. And so we find in the message that "the hand of divine Providence was never more plainly visible in the affairs of men than in the framing and the adopting of" the Constitution; that this was, "of all events in modern times, the most pregnant with consequences for every people of the earth"; that the supreme merit of this American system is the guarantees it embodies of permanence to the general government, indestructibility to the States, and immunity to the citizens in all their natural rights. We have, in short, the principles for which the old Democratic party stood in its best estate before the war.

To formulate these principles and to rally the people to them was, I believe, the purpose which Johnson had chiefly in mind when he confronted the preparation of his first message. With such a purpose presumed, the resort to Bancroft as draughtsman is an obvious and self-explained deduction. For the business in hand there was needed no old-time Whig, saturated with the heresies of a defunct and discredited party, no anti-slavery agitator, who had professed his faith in some law higher than the Constitution, no adept of the Radicalism which maintained that the inspired work of 1787 had proved inadequate to the exigencies of rebellion and had been superseded: none of these, but one who had, through all the storm and stress of ante-bellum and per-bellum politics, remained undeviatingly true to the creed of the Democracy, — to the view of the Constitution which Jefferson and Madison had maintained, and to the view of the Union which had been taken by Jackson.

The melancholy failure of the enterprise which was so hopefully inaugurated by Bancroft's literary labor, it is no function of this paper to describe. We may pause merely to recall the fact that the labor of the historian, though so notably unsuccessful in its political results, met with an entirely adequate personal reward in his appointment as Minister to Berlin in 1867. In this position he was retained by President Grant until 1874. To one who is aware of the feeling toward Johnson that prevailed in the Senate in 1867 and in Grant in 1869, it will always be a matter of curious speculation whether Bancroft would have been confirmed by the one authority or retained in office by the other if it had been known that he was the author of Andrew Johnson's first annual message.

FREDERIC BANCROFT, LL.D., of Washington, D. C., a Corresponding Member, read a carefully prepared paper on the number and condition of the free negroes at the South before the Civil War.

Mr. CHARLES P. BOWDITCH presented some original documents and copies of letters relating to the treatment of negro seamen at the South in 1842-43, and said:—

I found amongst my father's papers some letters referring to an incident which, in connection with the discussion which has been held in this Society during the last year, may have a certain interest.

In 1841 and 1842 John Quincy Adams was making his great fight for the right of petition in general and especially for the right of petition for the abolition of negro slavery. In the midst of this contest, the North was greatly excited by action taken in the Southern courts under the State laws, by which free colored citizens coming into those ports on vessels were imprisoned while the vessels remained in port.

In May, 1842, a petition was circulated in Boston and signed by the leading citizens, asking for legislation on the part of Congress to prevent this attack on the rights of citizens of the United States. A copy of this petition is the first paper amongst those which I now have the pleasure of presenting to the Society.

This petition was sent to Rufus Choate, one of the Senators representing Massachusetts in the United States Senate, with the request that he should present it to that body. Apparently the petitioners received no statement from Mr. Choate that the petition had been presented, and wrote to inquire what had been done. The letter of Mr. Choate in reply follows, showing, as the petitioners thought, no very great interest in the subject of the petition itself or in its presentation to the Senate.

After the adjournment of the Senate in the summer of 1842, the petitioners requested the return by Mr. Choate of the petition which they had sent him in the previous May, and after some correspondence this was apparently acceded to. The petition was then sent to Hon. Robert C. Winthrop, who was one of the Massachusetts representatives in the Lower House, with the request that he should present it to the House. The

letter of Robert C. Winthrop is amongst the papers, and evinces a decided interest in carrying out the wishes of the petitioners. He was a little uncertain as to the best form of action to be taken in the matter, and suggested that Mr. Franklin Dexter, John Pickering, or Mr. Prescott should be consulted on the subject. A letter of Mr. Dexter is here given in reply to this request.

The correspondence does not show in detail the course which the petition took, except that a copy of a letter from my father to Mr. Winthrop, dated February 5, 1843, expresses his amazement at the votes of the Northern *dough-faces*.

Investigation, however, of the Congressional Globe for 1842-43 shows that on January 20, 1843, Mr. Winthrop reported for the majority of the Committee on Commerce, to which committee the petition had been referred, while Mr. Rayner of North Carolina submitted a minority report.

No action, apparently, was taken upon these reports, except that they were ordered printed, until March 2, 1843, when Mr. Winthrop moved that the House take up the resolutions appended to the majority report. Mr. Cave Johnson moved to lay the subject on the table, but Mr. Weller called for the reading of the resolutions. These resolutions were read as follows: —

*“Resolved,* That the seizure and imprisonment in any port of this Union, of free colored seamen, citizens of any of the States, and against whom there is no charge but that of entering said port in the prosecution of their rightful business, is a violation of the privileges of citizenship guaranteed by the 2d section of the 4th article of the Constitution of the United States.

*“Resolved,* That the seizure and imprisonment in any port of this Union of free colored seamen on board of foreign vessels, against whom there is no charge but that of entering said port in the course of their lawful business, is a breach of the comity of nations, is incompatible with the rights of all nations in amity with the United States, and in relation to nations with whom the United States have formed commercial conventions, is a violation of the 6th article of the Federal Constitution, which declares that treaties are a part of the supreme law of the land.

*“Resolved,* That any State laws by which certain classes of seamen are prohibited from entering certain ports of this Union in the prosecution of their rightful business are in contravention of the paramount and exclusive power of the General Government to regulate Commerce.

*"Resolved, That the police power of the States can justify no enactments or regulations which are in direct positive and permanent conflict with express provisions or fundamental principles of the national compact."*

Mr. Winthrop called for "Yeas" and "Nays" on the motion to lay the resolutions on the table, and they were ordered, and being taken resulted as follows: Yeas, 86; Nays, 59.

In the session beginning December, 1841, the memorials and petitions against slavery in the District of Columbia and in the slave States were not received. In the Senate the reception of the petition was objected to, and then the question of its reception was laid on the table.

In the House the twenty-first rule declared that no petition, memorial, resolution, or other paper, praying the abolition of slavery in the District of Columbia or in any State or Territory or of the slave trade between the States and Territories of the United States in which it already existed, should be received by this House or entertained in any way whatever.

Mr. FRANKLIN B. SANBORN called attention to an interesting and important letter of Chief Justice Taney, on slavery and emancipation, written in August, 1857, to Rev. Samuel Nott, of Wareham, which was communicated to the Society some years ago.<sup>1</sup>

Other remarks were made during the meeting by Rev. Dr. EDWARD E. HALE and Messrs. FRANKLIN B. SANBORN and THOMAS W. HIGGINSON.

<sup>1</sup> See Proceedings, vol. xii. pp. 444-447. — Eds.

## DECEMBER MEETING, 1905.

THE stated meeting was held on Thursday, the 14th instant, at three o'clock, P. M.; the President in the chair.

The record of the November meeting was read and approved; and the Librarian submitted the customary list of donors to the Library.

Hon. John Lathrop, one of the Justices of the Supreme Judicial Court, was elected a Resident Member; and Mr. Hubert Hall, of the Public Record Office, London, was elected a Corresponding Member.

The PRESIDENT, on behalf of the Council, called attention to the following extract from the Report of Charles J. Bonaparte, Secretary of the Navy, recently submitted to Congress:—

*The Frigate "Constitution."*

Erroneous or greatly exaggerated reports as to the condition of the old frigate "Constitution" now at the Boston navy-yard led recently to some popular agitation looking to the preservation of this ship as a national relic, and also to much discussion as to the most appropriate and becoming method of perpetuating the memory of the naval victories with which her name is associated.

In dealing with this question it is important to bear in mind that the vessel now at Charlestown is not the vessel with which Hull captured the "Guerriere." Some portion of the materials from that ship was undoubtedly used in building the new one, to which her name was subsequently given, but probably only a very small part of these materials can be now identified with any confidence, and, in any event, it is quite certain that they constituted only a very small part of the structure of the new ship. To exhibit the "Constitution" therefore as the genuine "Old Ironsides," charging, as has been proposed, a fee for permission to inspect her, and using the amount thus earned to bear the expense of her preservation, would not only ill accord with the dignity of the Government, but would amount to obtaining money under false pretences.

The further suggestion that she should be rebuilt on her old lines with new materials would involve a perfectly unjustifiable waste of



public money, since when completed, at a cost of certainly several hundred thousand dollars, she would be absolutely useless. Nevertheless, I think it would be wise and becoming to commemorate in some proper way the victories of the old "Constitution," and I suggest that this be done in the same way in which it was done when the frigate was rebuilt — that is to say, I suggest that so much of the materials of the present ship as can be shown to have belonged to the original "Constitution," and to be also of some utility, or at least of no detriment, on board a modern ship of war, be transferred to a new vessel to be named the "Constitution," and that the remainder of the ship be broken up.

If, for purely sentimental reasons, it be thought that this supposed veteran of our old wars is entitled to a maritime end, she might be used as a target for some of the ships in our North Atlantic fleet and sunk by their fire. I think the new vessel ought to be one outside of the regular estimate for the increase of the Navy, built, first of all, to perpetuate the memory of the "Constitution," but so constructed that in all respects she will compare favorably with the finest vessels of her type now afloat.

This type, it appears to me, ought to be that of an armored cruiser, since the late "Constitution" was not a ship of the line, but a frigate, and armored cruisers at the present day correspond in a general way to what frigates were in her day. I suggest, therefore, that an armored cruiser on the general model of the "West Virginia" and "Colorado," but larger and swifter, and with all the improvements suggested by the latest phase of naval science, be authorized to be built and named the "Constitution," and that she take the place of the present old frigate on our Navy register.

In submitting the foregoing extract, the President stated that his first impression on reading in the papers a synopsis of the recommendations of Secretary Bonaparte had been that the Secretary proposed finally to dispose of the "Constitution" in a dramatic, and indeed somewhat sensational, way; — she was to find a burial in what might be deemed her native element, the funeral services on the occasion to be of impressive character. The modern Navy were to salute the old "Fighting Frigate" as she sank beneath the waves. A unique military funeral seemed to be the central idea. On reading the foregoing extract in full, however, no one can fail to be struck, and most disagreeably impressed, with a certain levity of tone and treatment running through it, — a flippancy, as it were, in no way creditable, and, as matter of taste, most

objectionable. Mr. Bonaparte seemed, in fact, disposed to treat the "Constitution," and the sentiment entertained towards her, as something bordering closely on the inexplicable and ridiculous. For instance:—in connection with the present ship, he makes use of the term "false pretences," and again speaks of her as a "supposed veteran" of our old wars; finally, he suggests that she "might be used as a target." Such language is little less than an affront to what the Secretary sees fit to denominate the "purely sentimental" feeling very generally entertained towards the most famous ship of our navy. The argument advanced that the present hulk, now docked at Charlestown, is not the vessel of our naval victories, and that "only a portion of the materials from that ship" are in the framework now bearing its name, is wholly beside the question. The present "Constitution," as she lies at the wharf next the Charlestown Navy Yard, is by continuous construction and unbroken life just as much the old "Constitution" of 1812, which captured the "Guerriere," the "Java," the "Cyane" and the "Levant," as the present "Victory," moored in the royal Navy Yard at Portsmouth, is the "Victory" with which Nelson broke the Franco-Spanish line at Trafalgar, and in the cock-pit of which he died. In case this Society presents another memorial in behalf of the "Constitution," the same argument might, with equal force, be advanced against its reception. It would be a case of "false pretences," inasmuch as the Massachusetts Historical Society now contains no single member of those originally composing it, and for over sixty years has borne the name of no such member on its roll. Moreover, it has changed its local habitation five times at least, and there are in its present habitation—which stands, it might incidentally be stated, on what was a marsh at the time of the Society's organization—few articles pertaining to its earlier and, possibly, its better days. It has indeed twelve Windsor chairs which can be identified as purchased six years before the "Constitution" was launched; but, to make the parallelism of the two cases quite perfect, it should here be observed that these chairs have undergone frequent repair and constant renewal, so that, in the language of the honorable Secretary, "only a very small part of these [interesting articles of furniture] can be now identified with any confidence, and, in any event, it is quite certain that

they constitute only a very small part of the [belongings] of the [present Society]." The so-called Massachusetts Historical Society, therefore, is a fraud; and a memorial from it should be treated as one submitted on "false pretences," or, at best, upon considerations "purely sentimental" in character.

Were such an argument advanced, our Society would doubtless consider it a senseless impertinence. Yet it could be quite as effectively used against us as against the frigate "Constitution" here, or the battle-ship "Victory" there.

Under these circumstances the President said it was, in the judgment of the Council, expedient that immediate steps be taken by the Society to influence by all possible proper means the action of those in whose hands the preservation of the historic frigate rests.

The Council, therefore, has directed the following vote to be prepared and submitted to the Society, recommending its passage:—

*Voted*, That the communication relating to the disposition to be made of the frigate "Constitution" be referred back to the Council with instructions to cause a memorial to be prepared, and submitted in the name of the Society to the Legislature of Massachusetts and the Congress of the United States, protesting against the adoption of either course recommended by Secretary Bonaparte, and expressing anew the views of this Society as to preservation of the historic frigate as set forth in its memorials of January 14, 1897, and December 30, 1903, heretofore prepared and submitted.

The question was then put, and the foregoing vote was unanimously passed.

The resignations of Mr. John C. Palfrey, a Resident Member, and of Hon. William A. Courtenay, of Charleston, South Carolina, a Corresponding Member, were received and accepted.

Mr. SAMUEL S. SHAW communicated the memoir of the late Uriel H. Crocker which he had been appointed to prepare for publication in the Proceedings.

The PRESIDENT said:—

Again the painful duty devolves upon me of announcing vacancies in our roll of resident membership. Since we last met, two of those not infrequently here seen have passed over to the silent majority. The Hon. Stephen Salisbury fell a victim to pneumonia at Worcester, Thursday, November 16;

and on Thursday, the 23rd, William Phineas Upham died at his home in Newtonville.

In the case of the first, I shall presently call upon his townsman and our associate, Mr. Waldo Lincoln, for the characterization usual in such cases, confining myself to a simple statement of Mr. Salisbury's connection with the Society. Elected a Resident Member November 10, 1881, at the time of his death his name stood twenty-second on our roll. Serving his term as member of the Council from April, 1895, to April, 1896, Mr. Salisbury, at the December meeting, 1889, paid tribute to Charles Deane at the memorial meeting held at the house of our late associate Robert C. Winthrop, Jr. In 1891 he presented the report of the Committee on the Library and the Cabinet; and at the January meeting, 1895, he offered a tribute to Dr. Ellis, my predecessor in this chair. That Mr. Salisbury took an active interest in historical investigation, especially in matters connected with Central American countries, is well known. Less interested in the field of historical research to which this Society has more particularly devoted itself, he was more closely associated with our sister organization, the American Antiquarian Society, of which he was for many years president. A meeting of the Council of that Society was held yesterday, at which appropriate notice was taken of Mr. Salisbury, and his liberal benefactions to the Society of which he was the head received recognition. But his name also appears among our own benefactors, a bequest in our favor of \$5,000 being among the numerous legacies specified in his will.

Born in Salem, January 19, 1836, William Phineas Upham graduated at Harvard in 1856, exactly twenty years later; and it is a somewhat curious coincidence that both Mr. Salisbury and Mr. Upham were members of the class in which I also was graduated. First and last, the names of four members of that class have been inscribed on the resident roll of the Society. Three of them were alive at its last meeting; at this, I only remain. Mr. Upham was elected in November, 1875. He thus was a member just thirty years; and it is curiously suggestive of the rapid passage of time, and the changes wrought thereby, that, immediately after the election to the Society of one whose name now stands only twelfth from the head of our roll, preliminary steps were taken looking to

the participation of the Society in the centennial observances of 1876, then about to be held ; and which, to some of us, do not now seem remote. The father of Mr. Salisbury, bearing also the name of Stephen, then stood twenty-fourth on our roll, and the death of Mr. Upham's father, Charles W. Upham, had been announced at the meeting of the previous month. The present dean of the Society then stood forty-fourth in the order of seniority. Throughout our membership Mr. Upham's name appears next my own.

Mr. Upham's contributions to the Society were both numerous and valuable. Though never on its Council, he was a member of the Committee to Nominate Officers in the years 1877, 1878, 1879 and 1880. In 1891 he served on the Committee on the Library and the Cabinet. His contributions to our Proceedings were almost too numerous to specify. In 1880 he prepared a memoir of Mr. John Glen King ; in 1895, one of Dr. Henry Wheatland. At the March meeting of 1878 he communicated to the Society copies of papers relating to Major Robert Pike. At the June meeting, 1884, he presented Winthrop's map of Eastern Massachusetts. A year later he brought to the Society's notice certain of the early Court files of Suffolk County. At the November meeting, 1891, he commented upon the value of Governor Winthrop's map. At the January meeting of 1892 he read a paper on the shorthand in Lawrence Hammond's Journal ; in November, 1894, a similar paper on the shorthand in Danforth's Plan ; and in March, 1901, and February, 1902, papers on the shorthand of Jonathan Edwards ; in 1898 a paper on Governor Leverett's Instructions to Captain Daniel Henchman ; in November, 1896, a communication upon the Suffolk Court Files, and one on the manuscripts in the custody of the Boston Athenæum. In November, 1897, he furnished a paper on the Canada expedition of 1747 ; and in May, 1899, a paper on the note-book of Edward Taylor. The last paper communicated by him was in November, 1902, and was on works in our own Library relating to shorthand.

Mr. Upham confessedly stood among the most erudite and best known antiquarians of New England ; and his historical inclinations came to him by inheritance. The son of his father, whose studies on Salem Witchcraft are so well known, this historical trend was with him matter of heredity on both

sides, for his mother was a sister of Oliver Wendell Holmes. Singularly industrious and well trained for the work, Mr. Upham was for many years engaged in the restoring, classifying and indexing of the manuscript records of Essex and Suffolk counties. Naturally, he became a high authority on the early history of both. He was the author of numerous pamphlets on antiquarian subjects, and, at the time of his death, had nearly completed, in collaboration with our associate Mr. Noble, an edition of that portion of the records of the Court of Assistants of Massachusetts Bay not yet published. But it was in the systems of shorthand in use during the colonial period that he was pre-eminent. The skill in this work laboriously by him acquired, unhappily not susceptible of transfer, is now forever lost. To him only was it possible to decipher manuscripts otherwise, and now, undecipherable. Those learned in that specialty refer to his recovery of the phonetic alphabet employed by Jonathan Edwards as a most notable achievement. Exceptionally unobtrusive, as I have said, always modest in deportment, never self-assertive, untiring in his devotion to any task he assumed, the loss of Mr. Upham is one not readily made good. The niche he filled was neither large nor prominent; but there is reason to fear it is one destined to remain long unfilled.

Looking down the list of our Society in search of some one to utter here to-day the usual and proper tribute for one who, throughout a life stretching to the allotted years of man, did conscientiously and well the work allotted him to do, I found only his friend and coadjutor, Mr. Noble. To him the preparation of the memoir will be assigned. Under these circumstances I, his college classmate of fifty years ago, assume, and I fear most inadequately fulfil, the present task.

Mr. WALDO LINCOLN, having been called on, said: —

The death of Stephen Salisbury deserves more than a passing notice of his character in that he was almost the last of his name and actually the last of the Worcester branch of the family which for nearly one hundred and fifty years has been representative of the highest and best in our New England life. The extinction of an old Puritan family name is almost a calamity, and although the name of Salisbury still exists in this country, it is from other ancestors than him from whom our

deceased friend could trace his descent. With the exception of one distant cousin now living, but of advanced age and without sons, Stephen Salisbury, who was never married, left no relatives bearing the family patronymic. His earliest paternal ancestor, so far as traced, was John Salisbury, "a mariner," whose name first appears in a tax list of a precinct in Boston, of the probable date 1689. Though twice married, he left but one son who had descendants, namely, Nicholas, who was "a small merchant" in Boston, and married Martha Saunders, daughter of Josiah Saunders, "a mariner," of Boston. His youngest son, Stephen, the first of that name, removed to Worcester in 1767 and established, in company with his elder brother, Samuel, a branch of their Boston business house, by which he laid the foundations of a fortune which placed his son Stephen, and his grandson Stephen, our late member, among the wealthiest citizens of Worcester County. Since then the name of Stephen Salisbury has been so associated in the town and city of Worcester with all public enterprises and private and public charities that it is difficult to realize that the name can no longer be invoked in aid of worthy objects.

Born March 31, 1835, and left motherless at the early age of eight years, the character of the younger Stephen was largely formed by his father, a gentleman of the old school, whom many of you may remember, of whom he was, as he himself says, "his sole constant companion for more than thirty years." He was educated in private and public schools in Worcester and Boston until he entered Harvard College in 1852, where he was graduated in 1856. He immediately went to Europe, where he passed two years partly in travel and partly in continuing his studies at Berlin and Paris. Returning to Worcester in 1858, he studied law at Worcester and the Harvard Law School, and was admitted to the Worcester Bar in 1863. This was to prepare him for the care of the large property of his father, of which he was to be the sole heir, rather than with a view to practice. Meanwhile he visited Yucatan, a visit which he repeated in 1885, and became much interested in the antiquities of that country, which led him to provide means for further explorations of existing ruins and to the publication of three books on Maya History. At his father's death, in 1884, he succeeded to his prominent position in Worcester society, and inherited his wealth,—a

wealth which he has always administered more as a trustee for the public good than for his own pleasure.

He was of a very modest and unassuming character, extremely courteous and dignified, not readily excited and seldom angered, a good hater but a better friend, and a friend once made was his friend for life. He was somewhat slow of thought, but, his opinion once formed on any subject, he was extremely tenacious of his views and seldom changed them. He was neither facile in speech nor ready with his pen, yet he frequently surprised his friends by the aptness of a word or phrase after a somewhat labored search for the right expression. Though possessed of more public spirit than perhaps any other man in Worcester, he took but little part in public life,—a membership of three years in the Worcester Common Council and of the same period in the Massachusetts Senate completing his record in this respect; but he was always conscientious and painstaking in his work and a valuable member of those bodies. His positions of trust were many and varied, and he gave to each the best that was in him. The Worcester Polytechnic Institute, of which he was president for several years until shortly before his death, the Worcester County Institution for Savings, of which he became president in 1882, the Worcester National Bank, where he succeeded his father as president in 1884, and innumerable other institutions with which he was connected as trustee or director, can all bear witness to the fidelity and devotion which he brought to any position of trust. He was free and bounteous in his charities, every worthy appeal public or private finding in him a ready sympathizer and liberal giver. His sense of duty was almost abnormally developed, and seemed to rule all his actions. Unless prevented by absence from town or illness, he never failed to attend divine service at the First Unitarian Church, of which he was a member, though perhaps no more devout or of stronger religious views than others; and speaking of this, he once said to a friend, "Do you suppose I always go because I want to? There are many times when I would rather stay away, but I go because I think I ought." Were more of us endued with the same spirit, there would be less complaint of empty churches.

In later life he became very pessimistic; the state of society, the manners and morals of public and private life, all



seemed to him in a hopeless condition. He had been brought up in another school, and perhaps lived too long for his own happiness under customs with which he was not in sympathy and to which he could not be reconciled.

With all his active duties he found much time to give to historical matters, though his literary contributions, aside from the Maya books already mentioned, were not extensive. He became a member of the American Antiquarian Society in 1863, and was its president from 1887 until his death; was member of the American Geographical Society, the New England Historic Genealogical Society, the Archæological Institute of America, the Sociedad Mexicana de Geografia y Estadística, the Conservatorio Yucatico, and became a member of this Society in 1881.

Mr. T. W. HIGGINSON spoke of the peculiar qualities of the Salisbury family. He said that his father's first wife was a Salisbury, and he (Mr. Higginson) was taken up to Worcester as a child to visit at the house of the two Misses Salisbury, who had some celebrated kittens which had impressed his memory for life. When he went to Worcester to live in 1847, he noticed the peculiar shyness of the elder Stephen Salisbury, father of our late deceased associate, and when his mother inquired about him, could only describe him as a man walking very fast, but at the very edge of the sidewalk, as if wishing to keep out of the way of every one whom he met. On this she replied, "If you had known his father, you would not be surprised at any shyness in him, because he was brought up to think that every one in the world was trying to get his money away from him." While this training had not made the son in any respect mean or selfish in the use of money, it had left a habit of over-caution which disinclined him to take any risks of misuse or to enter upon any new enterprise without showing something which seemed to poorer men a quite exaggerated distrust. It is a remarkable historic fact that just after the outbreak of the Civil War, in 1861, this shyness became suddenly diminished, because Mr. Salisbury's sympathies were given to the cause of the Union most heartily. Instead of keeping on the outer edge of the sidewalk, he was more likely to stop and speak to you as he passed. He gave most liberally for the soldiers, and, after the war, was very thoughtful about

employing them in all ways,—a thing which large capitalists were very apt to forget in those days. There was a story of him that on one occasion he was said to have pointed out to a visitor three men at work in his large hay-field with the remark that all three of them were returned soldiers. “The one nearest to us,” he said, “was a private soldier and is the best man I ever employed in a hay-field. The one next to him was a lieutenant and works fairly well; but the one beyond him was a captain, and if that is the way they deteriorate as they ascend in rank, you will not find me hiring a brigadier-general to work for me at any price.”

This was Stephen Salisbury, father of our late lamented associate, and it was very interesting to see in the son the lingering remnant of this hereditary shyness, joined with an increased development of that generosity which the Civil War taught to his father. It is a thing to be deeply regretted that so strongly marked a type of the old New England blood should have passed away in him. It may be said of the son, as was said of the father in that eloquent tribute paid to him by the Hon. John D. Washburn before this Society, that, more than any other citizen of Massachusetts, he resembled in his position and opportunities an English nobleman in the great hereditary interests he controlled and the unquestioned headship of the community in which he lived.

Mr. G. STANLEY HALL said:—

I cannot forbear to add a word to Mr. Lincoln's excellent paper. I was not intimate with Mr. Salisbury, but for fifteen years have seen much of him in a fortnightly club to which we both belonged, and as a trustee of Clark University. He was an only son, was educated in private schools until he entered college, and there lived in private families, and never, I am told, in a college building. After his graduation, his professional studies, and some years of foreign travel, when he returned to Worcester, his father, who was a man of strong personality and large affairs, kept most of his business in his own hands until his death. These facts of themselves account for some of Mr. Salisbury's traits. When rather suddenly the whole burden of his ancestral estate devolved upon his shoulders, the new sense of responsibility, his friends have told me, was felt at first to be almost oppressive. Without family ties or even near relatives, although he had special friends and many acquaintances,

his nature did not prompt the closest intimacy, and his confidences were never with abandon. Thus there always seemed to me a certain solitariness in his life which was not quite natural for so warm-hearted a man. Those he consulted most frequently and trusted most implicitly in certain of his business relations knew from him little of each other's work.

I, too, thought the strongest trait in his character was a sense of duty and of his obligations as a man of wealth. Besides what he did in public, his private charities were very numerous. Every good cause, most business schemes, and a great many individual cases of poverty turned to him, and very few were disappointed if they had any plausible cause. I have chanced to know a number of cases of distress that few ever heard of that were relieved by him, and many others have since told me they knew yet other cases, so that they must have numbered scores, if not hundreds. When approached by projectors of new schemes, he found it difficult to refuse, and often made minor losing investments of this sort, as if disposed to give every Worcester venture the benefit of his name and aid. It is true, as Mr. Lincoln has said, that he often seemed to take a gloomy view of human nature and that he was sometimes prone to suspect selfish motives in others. Nevertheless his acts and charities were as if he had unbounded faith in human nature. More and more pursued by the "daughters of the horseleech," it would be strange indeed if he had not realized that very many who approached him were greedy promoters who were working for their own selfish ends. He had no great enthusiasm for or acquaintance with music, although he enjoyed it profoundly; yet he was perhaps the most generous contributor to the Worcester Musical Festival. He would never have laid slightest claim to historical or archæological scholarship; yet he was the president and chief supporter for many years of the venerable Antiquarian Society. Art, too, he enjoyed, but without passion and without being a connoisseur, but during his life contributed more to the cause of fine art than to anything else. Higher education he believed in to a commendable yet moderate degree, and yet was one of its chief benefactors. He was far from being a devotee in religion, yet he was always in his place at church and a generous supporter of it. If it be asked why he gave so freely to all these causes, and often not only income but capital, the only answer

is, from a high sense of duty which seems to have been the dominant trait of his character.

He appeared to be a man peculiarly fitted to enjoy domestic life, and in place of this to be the best example I know of affections meant for this relation diffused until the community, in which his whole life was passed and in which all his interests centred, became its object. He loved Worcester, and I think his supreme desire that grew ever stronger with advancing years was to do it real and abiding good. In some respects he was an ideal philanthropist as he interpreted this noble function. Modest, retiring, and almost bashful in the presence of strangers, without a commanding personality, physical or mental, it seems to me a new resource of optimism to see how the community of Worcester has already awakened almost day by day to a deeper appreciation of his character and to a warmer love of the man. Great public bequests have been made that did not arouse this reaction. Men of more commanding abilities have loved Worcester as warmly as he did, but as the years go by I believe he will have an ever warmer place in the hearts of the entire community. No one ever envied him his wealth, and his humanism was of a kind that will make his memory cherished and loved by all classes.

I could not forbear, even in this halting and extemporary wise, to try to express the love and respect I shall always bear him.

The President said he had received a letter from Mr. NATHANIEL PAINE, who was not able to be present at the meeting : —

72 ELM STREET, WORCESTER, December 14, 1905.

C. F. ADAMS, Esq., Prest.

MY DEAR SIR, — I regret exceedingly that a previous engagement will prevent my being present at the meeting of the Historical Society. I especially regret my absence from the fact that the Society is to take notice of the death of Mr. Salisbury.

Having been a very intimate friend of Mr. Salisbury for half a century or more, I should have been pleased to add my testimony to that of others to the great loss sustained not only by our Society but by other educational and historical institutions of which he was a member. Being a man of great modesty, Mr. Salisbury very seldom spoke of his benefactions, and it is only since his untimely death that

many of them have become known. For many years he has been the active president of the American Antiquarian Society, and in that office he has been most efficient and faithful, and his loss will be greatly felt by that Society. That he was also interested in the Historical Society I well know, and it was his wish to be present at its meetings whenever possible.

It is difficult to speak of him as I would like to from the standpoint of personal friendship, and I will only say that a more loyal and true friend I have never had. He was a man of very little pretension, modest in all that concerned himself, and always considerate in his estimate of others. He never spoke ill of his fellowmen, but was more apt to defend them from attacks of others, even when their views might not coincide with his own.

Pardon me, my dear sir, for writing so much, but I could not refrain from expressing thus inadequately my admiration for Mr. Salisbury as a man and as a friend.

With regret that I cannot be present to-day to join with others in expressing the loss sustained,

I remain, very truly,

NATHANIEL PAINE.

Mr. HENRY W. HAYNES said :

As illustrative of Mr. Salisbury's enlightened interest in letters, it should be remembered that from the first he took a prominent part in founding the Archæological Institute of America, and rarely missed a meeting of its executive committee. His advice and help were valuable to the Society, and his contributions to its many archæological undertakings were most generous.

Mr. CHARLES P. BOWDITCH spoke of Mr. Salisbury as a true and loyal friend, and as a man who gave his entire confidence to any one whom he trusted.

Mr. John Noble was appointed to write the memoir of Mr. Upham for publication in the Proceedings, and it was stated that the appointment to write a memoir of Mr. Salisbury would be made at a future meeting.

Professor ALBERT BUSHNELL HART spoke briefly on "Revolutionary Privateering," and defended the right of capture of private property at sea in time of war as a method of warfare which causes less personal suffering and accomplishes more to damage the enemy and put an end to the war than many kinds of land warfare. The conditions of naval

service were very hard in the Revolutionary period, partly because of the danger of navigation, especially of any sort of observation or blockade service; partly because of the difficulty of getting off a lee shore; and partly because of the severity of the discipline and the lack of common sense and care for the men. For these reasons privateering was always a favorite service and drew officers and men out of the navy. Revolutionary naval warfare began June 11, 1775, in the capture of the British cutter "Margueretta" in the harbor of Machias. The division of the naval service between State cruisers, government cruisers, privateers with State commissions, and privateers with national commissions led to conflicts, some of which were not adjusted till thirty years later. The experiences of privateers were illustrated from contemporary accounts of both American and loyalist privateers. The number of captures of British vessels ran up into the hundreds; but it must be allowed that the privateering service involved as much loss as gain, and it seriously interfered with an efficient navy. The charm of privateering was the combination of adventure, fighting, and a chance of prize money, with the defence of the nation and the glory of American arms.

Mr. CHARLES C. SMITH communicated some further extracts from the Memoirs of the Rev. Dr. Pierce, and said:

It may be remembered that at our October meeting I gave some account of the manuscript Memoirs of the Rev. Dr. John Pierce in the possession of this Society, and communicated several extracts from the volumes.<sup>1</sup> Since our November meeting the town of Brookline, where Dr. Pierce was a settled minister for more than half a century, has celebrated the two hundredth anniversary of its separation from Boston; and it has seemed to me that the description of the town which he wrote nearly ninety years ago would not be without interest at this time. Certainly there can be few more striking contrasts than is shown by comparing the little village here described with the Brookline of to-day, which we all know as the most wealthy and populous town in Massachusetts. Though written in 1817, the account was not copied into the Memoirs until some time in 1847, where it follows, in the volume let-

<sup>1</sup> See *ante*, pp. 356-389.

tered "Memorabilia," a letter to my predecessor at this table, Hon. Richard Frothingham, dated "31 December 1846," and a notice of Rev. Zephaniah Willis of Kingston, who died March 6, 1847.<sup>1</sup>

*Brookline in 1817.*

The following sketch of Brookline I prepared for Rodolphus Dickinson, Esq., of Deerfield, which he intended to insert in a Gazetteer of this Commonwealth. But as the work was never published, it is thought best to transcribe this as a historical scrap.

Brookline was at the early settlement of the country assigned to Boston for pasturage and cultivation. It formed a part of Boston till 13 November, O. S., 1705, when it was incorporated. It originally had the name of Muddy-river, one of its eastern boundaries; and it was called Brookline from the circumstance that two brooks on the northeast and east are its boundaries. It formed a part of Suffolk county till 1793, when it was attached to Norfolk county.

*Extent and Boundaries.*

Its position is northeasterly and southwesterly, about 5 miles long, and in no place more than 2 miles wide. It contains 4416 acres. It is bounded on the north by Brighton; on the west by Newton; on the south by Roxbury; and on the east by Roxbury & Charles River Bay, which separates it from Boston. A company was incorporated in 1817 by the title of the Boston and Roxbury Mill Dam Corporation, who began the next year to build a causeway from Boston to Brookline. Its length from the bottom of Beacon Street in Boston to the marshes in Brookline is to be  $1\frac{1}{2}$  mile.

*Surface.*

Its service is agreeably diversified. The part of the town nearest to Boston is level, & lying in common it was known by the name of Boston commons. The other part of the town is beautifully undulated. The streams which run through it are inconsiderable. From its numerous hills there are delightful views, not only of the richly cultivated lands and elegant seats within its own limits, but also of Jamaica Pond in Roxbury, of Cambridge, of Charlestown, of Charles River Bay, of the capital with its spacious bay and numerous islands. As to its interior structure it would be difficult to abridge the scientific account given

<sup>1</sup> In 1806 Dr. Pierce printed "A Discourse delivered at Brookline, 24 November, 1805, the day which completed a Century from the Incorporation of the Town. By John Pierce, A.M., the fifth minister of Brookline." It is a small octavo of thirty-two pages, including an Appendix. In 1814 it was reprinted, with some slight changes and omissions, but with no important addition, in the Collections of this Society (see 2 Mass. Hist. Coll., vol. ii. pp. 140-161).

of it in 1807, 1808, in conjunction with the other environs of Boston, by Mons. Godon, a learned French mineralogist. See his able treatise in the III vol. of the Memoirs of the American Academy of Arts and Sciences, p. 127.

#### Soil, Agriculture, and Productions.

The soil is of the primordial kind. It has considerable varieties from the lighter to the more rugged, excellently adapted to different kinds of cultivation. Indian corn and other grains might be cultivated to advantage. But from the vicinity of the town to Boston market it is mostly improved for the cultivation of esculent vegetables which cannot conveniently be transported from a much greater distance. Besides these it yields large quantities of hay, of apples, pears, cherries, strawberries, melons, and all other fruits which can be cultivated in this climate. It abounded in peaches till 1810, the winter of which proved so fatal to trees of this kind. To promote as far as possible the productiveness of the soil, great quantities of manure are annually brought from Boston. It is not unusual for a farmer to expend for this article to the yearly amount of \$400.

It has been confidently asserted by those most competent to form a correct judgment that in no part of the country are the inhabitants more industrious. This partly arises from the necessity of the case. For not only are most of the inhabitants cultivators of the soil, but nearly one half are tenants who pay an annual rent from two to six hundred dollars for their farms. Of course, the utmost diligence in business is indispensable to defray the necessary expenses.

#### Diseases.

For the last 57 years, beginning with 1760, the deaths have been 482. Of these precisely one half lived beyond the age of 40; about one quarter lived to the age of 70; and one in 10 to 80. The prevalent disorder has been consumption, of which one sixth part have died.

#### Mineral Waters.

There is a mineral spring on the farm of Stephen Sharp, Esq., which in the early settlement of the town was prescribed by physicians for certain diseases.

#### Curiosities.

Near Sewall's Point on Charles River are the remains of intrenchments made by the American army during the siege of Boston by the British forces in 1775, 1776.

On Sewall's farm, so called, are plainly discernible the remains of an Indian fort, containing about  $\frac{1}{4}$  of an acre. It is on an eminence, of a square form, surrounded by a ditch nearly three feet deep, and a para-



pet about three feet high. It has an opening or gateway at each side. One of these is in the direction of Cedar Swamp. Tradition, which has preserved the name of the fort, gives no account by what tribe of Indians, nor on what occasion, nor why it was erected.

#### Population.

For more than half of the last century the population varied from 5 to 600. In 1800 it was 605; in 1810, 784. It now probably varies but little from 800. Till about thirty years ago there was hardly a mechanic in the town. All were cultivators of the soil. Within the last mentioned period several mechanics have settled in the place. In 1740 the houses were 61; in 1796 but 72; but now in 1817 they amount to 97. This disproportionate increase for the last few years has been owing to numbers of Boston gentlemen who have country seats here. Several of them are in a style of great elegance. Col. Thomas H. Perkins has a spacious and excellently furnished green house, 320 feet in extent, which has the convenience of funnels to keep it in a right temperature during the winter, and which abounds in vegeta. Of the 97 dwelling houses all but 6 are two stories or more high.

This town is famous as the birthplace of Dr. Zabdiel Boylston, F. R. S., who in 1721 introduced inoculation for the small-pox into America. It was renewed by Dr. William Aspinwall, another native and inhabitant of this town, who continued the practice with increasing reputation and success till this virulent disease became supplanted by the kine pock, one of the most merciful provisions of a kind Providence.

#### Education.

Notwithstanding the few inhabitants of this town, numbering but 112 families, 12 at least of whom move into Boston in the winter, there is a yearly grammar school. Besides this during the cold weather there are two district schools kept four months each. There are also in the summer three female town schools, besides a Female Academy of about 30 pupils, most of them natives of the town, who are instructed in the higher branches of female education. To defray the expenses of this very unusual provision for education there is a school fund amounting to \$2280. The remainder is discharged by taxation or by voluntary contribution. From the incorporation of the town 26 have been educated at Harvard University, one at Princeton, N. J., and one at Providence, R. I.

#### Ecclesiastical History.

The inhabitants are mostly Congregationalists. There are 6 families of Baptists. All the rest, in whatever respects they may differ in senti-

ment, harmoniously agree to worship together. The church was organized 26 Oct., 1717.

I. The first pastor, James Allen, a native of Roxbury, a graduate of H. U., 1710, was ordained 5 November, 1718, and died 18 February, 1747, *Æt.* 56.

II. Rev. Cotton Brown, a native of Haverhill, and a graduate of H. U. in 1743, was ordained 26 October, 1748, and died 13 April, 1751, *Æt.* 25.

III. The Rev. Nathaniel Potter, of Elisabeth Town, N. J., and a graduate of Princeton in 1753, was ordained 19 November, 1755, and dismissed 17 June, 1759.

IV. The Rev. Joseph Jackson, born in Boston 2 Jan., 1735, a graduate of H. U. in 1753, was ordained 9 April, 1760, and died 22 July, 1796, *Æt.* 61½.

V. Rev. John Pierce, born in Dorchester 14 July, 1773, a graduate of H. U. in 1793, was ordained 15 March, 1797.

There have been but two houses of public worship in the town. The first was erected in 1714, 44 feet long and 35 feet wide. It contained originally but 14 pews; at its demolition 32 pews. The present house was dedicated 11 June, 1806. It is 68 feet long, 64 wide, and has 88 pews below and in the gallery, with a spire 137 feet from the foundation. Its cost was considerably over \$20,000.

My second selection has the form of a "discourse," but with the exception of the form it has very little in common with the New England sermon of the last century. It has considerable historical interest, and is an instructive illustration of the way in which Dr. Pierce's mind worked, especially during the latter half of his life. It is perhaps needless to add that the foot-notes to this discourse are by Dr. Pierce.

#### *Jubilee of Rev. Dr. Snell.*

On Monday, 26 June, 1848, at IV P. M., I took the cars for N. Brookfield to celebrate the jubilee of the Rev. Thomas Snell, D.D., who attended mine on 15 March, 1847. I had been previously invited to the house of Professor Amasa Walker of that town. I found him in an elegant new house, standing on a pleasant elevation, with ornamental trees and a paved passageway in front. He has a noble farm, inherited from his father, of 85 acres in the homestead. The barn and outhouses indicate a first-rate farmer. His garden is spacious and well stocked with vegetables and the choicest fruits. I found there several guests, among others Dr. Timo. M. Cooley and wife, whose jubilee was celebrated 27 and 28 August, 1845. Col. Charles

Henshaw, son of David Henshaw, Esq., of Leicester, was also present, with whom Mr. Walker served an apprenticeship in his store. Rev. Dr. Willard Child & wife of Lowell were also of the company & Rev. Asa Bullard.

[Here follow the names of nineteen "ministers present."]

On my return from North Brookfield, I wrote a discourse for my people, in which I imbodyed many facts relating to North Brookfield and their pastor, which I delivered on the following Lord's day, 2 July, 1848, and which I here transcribe.

## II Timothy, iv 5.

### Do the work of an evangelist.

An evangelist is a preacher or promulgator of the gospel. His office restricts him to some certain place of labor; or else he goes forth wherever his offices are needed or solicited among the destitute in Christian or in heathen lands. As the term is now commonly understood among us it designates one who is qualified according to the rules of his denomination to administer the ordinances, and who accordingly officiates for some definite period wherever there is an opening, or who else migrates from town to town or from country to country, according to what he imagines to be the call of Providence. Now, he may equally deserve the title if he spend even a long life in one single sphere of labor, provided his leading object be to preach the gospel of the grace of God.

His appropriate *work* is to study, to preach, to exemplify the gospel, the whole gospel, and nothing but the gospel of the Lord Jesus Christ. It should be with him a subject of devout gratitude that an unerring standard of faith and of practice is provided in the sacred oracles. There are, indeed in many portions of the holy scriptures "things hard to be understood," yet he ever blesses God that the great essentials of truth and of duty, of preaching and of practice, are plainly intelligible. It is in his view an established axiom that in proportion as truths are important and essential to salvation they are plain to the humble learner, and that conclusions at which all honest inquirers arrive are infinitely more interesting than those in which they differ. It is still the aim of the genuine evangelist to endeavor as far as possible to understand and explain the most difficult parts of the sacred scriptures, not only to confirm the faith of humble inquirers, but also to confute and silence the setters forth of strange doctrines. He cannot mingle much in the world, and acquaint himself with the favorite theories of the various denominations in Christendom, but he will find great diversities of faith and of practice. One will say, "Lo, here is Christ"; and another, in an opposite direction, will with equal confidence proclaim, "Lo, he is there." Amid every such

perplexity the only safe resort for the scrupulous inquirer is to "the sincere milk of the word," with the earnest entreaty, "Lord, what wilt *thou* have me to do?"

The work of an evangelist is humbly to study the sacred scriptures for himself without undue bias from human authority, and to judge for himself what they undeniably teach. His next concern is to recommend to others the conclusions at which he himself has honestly arrived, whether in conversation, from the pulpit, or the press. It is also to beseech all with whom he has intercourse or concern to "judge even of themselves what is right." A genuine evangelist as he sacredly regards the instructions and the authority of his Master will strenuously abjure all party names and influence in religion. In every age and portion of Christendom these have unhappily divided and alienated and embittered and crumbled the Christian church. With every genuine follower of the Lamb, one, and one only, is his Master, even Christ, and all other professing Christians, however exalted, are but brethren.

It is then the conscientious, the invariable aim of every one who would faithfully do the work of an evangelist to proclaim to his fellow men as he understands them the truths of his Master's religion; to illustrate as far as possible their excellence in his own life and conversation; to embrace all in the arms of Christian affection who appear to wear the image of their Master, however widely they may differ from himself and from fellow Christians in their religious speculations; and to maintain comparative indifference toward the anathemas of bold theologues who have more zeal than knowledge, and greater presumption than modesty.

It has been the general understanding among almost all denominations of Christians, especially in the earlier periods of our national history, that there should be appropriate spheres of labor for all who would "do the work of an evangelist." When there was a more general agreement in religious opinions than now prevails, there were in our country towns definite parish lines for every laborer in the vineyard of his Lord. When vacancies occurred by death or resignation it was the earliest aim of those who constituted the parish thus made vacant to select some one to "do the work of an evangelist," who on accepting the trust was ordained to his office, commonly by elders and messengers of the surrounding churches. In almost all cases great solicitude was manifested to repair waste places with all convenient despatch, lest the sheep without a shepherd should become the prey of devouring wolves, and evils innumerable accrue. Experience decided that parishes were almost invariably exposed to such calamities, and that religious societies supplied with faithful and judicious ministers were far more united and flourishing, even in

temporal concerns, than those of a different description. The understanding was then almost universal that ministers were ordained for life, and that it was sinful to separate them, except in cases of imperious necessity, — especially for ministers to leave their people for more eligible situations. The only exceptions which public opinion would tolerate was when the pastor of a church was supposed to be needed as the president of a university. Even in the earliest periods of our national history there was not in such cases a perfect reciprocity. For it was commonly considered more pardonable for a people to get rid of an unpopular minister than for a pastor to desert his people to obtain a better parish. When, as it very rarely happened, a minister was induced to desert his people for a better settlement public indignation was excessive and inexorable.

The first instance of the kind which occurred in our region was when the Rev. Peter Thacher,<sup>1</sup> who was ordained in Weymouth on 26 November, 1707, accepted a call from the New North Church in Boston, and was installed colleague with the Rev. John Webb on 28 January, 1723. A faithful historian of that period narrates: "About 50 members of the church and congregation were dissatisfied at the invitation given to Mr. Thacher, the settled minister of Weymouth, for leaving that flock. They separated from the Society, and built a new house which had for a time the name of Revenge. At the time they met in the house to instal him the disturbance was so great that it could not be regularly performed. After a public declaration of a majority of the society in the meetinghouse that they accepted Mr. Thacher, the moderator announced him to be their minister, and the meeting broke up."<sup>2</sup>

So unpopular was this measure that a similar outrage on public opinion was not repeated for 62 years. The second instance of the kind in our vicinity was that of the Rev. Peter Thacher,<sup>3</sup> of the same name, and a remote connection of the former. He was tempted from an obscure parish in Malden to Brattle Square Church in Boston, where he was installed 12 January, 1785.<sup>4</sup> This was within my own early recollection; and never shall I forget the severe censures which it occasioned in conversation and from the press.

The third instance occurred in close succession to the one last mentioned. This was when Dr. Samuel West,<sup>5</sup> after sacrificing the health and almost the life of himself and partner to supply the deficiency of a scanty salary for the support of his family, was induced

<sup>1</sup> Native of Boston, H. U. 1696.

<sup>2</sup> See Collections M. H. S., vol. iii. p. 260.

<sup>3</sup> Born Milton, 21 Mar., 1752, H. U. 1769.

<sup>4</sup> See Appendix, (a).

<sup>5</sup> Born on Martha's Vineyard, 14 Nov., 1738, H. U. 1761.

to leave his parish in Needham for Hollis Street Church in Boston, where he was installed 12 March, 1789.<sup>1</sup> Public indignation was much more abated in this than in either of the former instances; till for people to dismiss their ministers or for ministers to leave their people for a better, or a poorer, or for no parish at all, has become an almost daily occurrence.

Yet to this restless mutability there are precious exceptions which deserve our notice in the rage for innovation that threatens to overturn both church and state. There are now living 7 clergymen belonging to the Massachusetts Convention of Congregational Ministers, each of whom has sustained the pastoral relation to the same people for half a century or more.

I. The first is the Rev. Dr. Daniel Dana, of Newburyport, son of the Rev. Dr. Joseph Dana, of Ipswich, where he was born 24 July, 1771, a graduate of Dartmouth College in 1788, who was ordained 19 November, 1794. Since his jubilee he has become minister at large in Newburyport.<sup>2</sup>

II. The second pastor of more than 50 years, now living with his people, is the Rev. Timothy Mather Cooley, D.D., born in Granville 13 March, 1772, a graduate of Yale College in 1792, and ordained in his native town 3 February, 1796.<sup>3</sup>

III. The third is the Rev. Benjamin Wood of Upton, born 15 September, 1772, a graduate of Dartmouth College in 1793, and ordained 1 June, 1796.<sup>4</sup>

IV. The fourth is the Rev. John Fiske, D.D., born in Warwick 26 October, 1770, a graduate of Dartmouth College in 1791, and ordained in New Braintree 26 October, 1796.<sup>5</sup>

V. The fifth is your senior pastor.

VI. The sixth is the Rev. Isaac Braman, born in Norton 5 July, 1770, a graduate of Harvard University in 1794, and ordained in Rowley, now Georgetown, 7 June, 1797. He is now senior pastor with his second colleague.<sup>6</sup>

VII. The seventh semi-centenarian now in office in this Commonwealth is the Rev. Thomas Snell, D.D., born in Cummington, Hampshire county, 21 November, 1774, a graduate of Dartmouth College in 1795, and ordained the third pastor of the church in North Brookfield on 27 June, 1798. He will be remembered by many of you, my hearers, as the clergyman who invoked the blessing at the collation of the Brookline jubilee which succeeded the public services in the church on 15 March of the last year. It was my delightful privilege to attend his jubilee, in North Brookfield, on the last Tuesday. As the occasion

<sup>1</sup> See (b) in the Appendix.

<sup>2</sup> See (d) in the Appendix.

<sup>6</sup> See (f) in the Appendix.

<sup>3</sup> See (c) in the Appendix.

<sup>4</sup> See (e) in the Appendix.

<sup>6</sup> See Appendix (g).

was so auspicious, and as I there derived fresh proof of the satisfactory manner in which that venerable divine has so long, so faithfully, and so successfully done the work of an evangelist, it may not be unacceptable to you, my hearers, nor inappropriate to my subject to offer some reflections suggested by that interesting celebration.

The day was such as could be desired. The collection of people in a region where holidays of any kind are comparatively rare was immense. Four of the seven semi-centenarians in office in this Commonwealth were present on this occasion, namely, 1. Dr. Cooley, 2. Dr. Fiske, 3. J. Pierce, 4. Dr. Snell. Four continue to the present time to officiate without colleagues, namely 1. Dr. Cooley, 2. Dr. Fiske, 3. Rev. B. Wood, & 4. Dr. Snell. The exercises began in the meetinghouse precisely at X., the invited guests walking in procession from Amasa Walker's, Esq. The house was filled to its utmost capacity. Some young men, either natives of the place or intimately connected with the Society, performed the minor parts. The Rev. Dr. Fiske, in an adjoining parish, whose own jubilee had occurred a year ago, on 26 October last, offered the principal prayer, in return for the same service performed for him by Dr. Snell. The first anthem was Billings's Easter Anthem, the same which was sung at Dr. Snell's ordination.<sup>1</sup> The choir consisted of at least 100, more than half females, who generally sang "with the spirit and with the understanding also." Dr. Snell's sermon, one hour and twenty-six minutes long, exhibited lucid proofs of the faithful manner in which he had done the work of an evangelist. The patience of the audience and the fatigue of the speaker were relieved by a hymn sung when the discourse was about one half delivered. During the service there were 5 original hymns, the last by Wm. Cullen Bryant of New York, the celebrated poet, sister's son of Dr. Snell. The exercises lasted 2½ hours, without the least appearance of fatigue, either in speakers, musicians, or hearers.

At the close of the religious services a multitude which it would have been difficult to number repaired in procession to a collation in an adjoining beautiful and shady grove, directly in front of their principal schoolhouse. The whole company were commodiously arranged on seats throughout the grove. Amasa Walker, Esq., presided. A blessing was invoked in a very appropriate manner by the Rev. Dr. Cooley, senior in ordination of the clergymen present. At the close of the collation after the introductory remarks by the presiding officer, several addressed the assembly as they were called to the service, or as inclination prompted, bringing to light facts, biographical, historical, or statistical, which gave great interest to the occasion.

In reply to a sentiment which custom required me to notice, my first remark was, that I could say what few present could say, that I was

<sup>1</sup> It was also sung both at Mr. Braman's ord. & jubilee.

acquainted with all three of the ministers who had been settled in their parish, and had heard them all preach. The first was the Rev. Eli Forbes, D.D., native of Westborough, a graduate of Harvard University in 1751, who was ordained in North Brookfield 3 June, 1752, a little more than 96 years ago. The mere suspicion that he was a Tory in "times which tried men's souls," though, it has been since said, without sufficient evidence of the fact, led to his dismissal on 1 March, 1775. It is said that both parties on mature reflection repented of the rash proceedings which separated a faithful pastor from a people whom he loved. He was afterwards settled in Gloucester, successor to the Rev. John White, a native of this town, and fulfilled a long ministry there. For he died in office on 15 December, 1804, aged 78.

Their second pastor was the Rev. Joseph Appleton, father of Mr. William Appleton of this town, and near kinsman of the eminent merchants bearing his name in our neighboring capital. He was born in New Ipswich, N. H., in 1751, graduated at Brown University in 1772, was ordained 30 October, 1776, and died in middle life, 25 July, 1795. It was my privilege, while preceptor of Leicester Academy, between July, 1793, and July, 1795, repeatedly to hear him preach, and my uniform testimony has been that he was the most solemn preacher whom I ever heard. His people at his decease erected a plain stone to his memory, the epitaph on which was by the Rev. Ephraim Ward of West Brookfield. But his only son, who was present at the jubilee of his father's immediate successor, with genuine filial piety has recently seen fit to replace it with a more costly marble monument, on which he has recorded, as he modestly expresses it, his wish to cherish the memory of his honored father.<sup>1</sup>

It is not a little remarkable, as I farther observed, that in three contiguous parishes, of which North Brookfield is the centre, are three clergymen who continue to officiate in the churches where they were first ordained, whose average age is 76 years, 4 months, and 4 days, and what renders their case perhaps without a parallel is that each one still lives with the wife of his youth without ever having lost a partner.<sup>2</sup> These circumstances, with another striking evidence of longevity and vigor in a neighboring minister's family,<sup>3</sup> very naturally suggested the following sentiment:

"North Brookfield and the adjoining region, whose soil, cultivation, and air, with the blessing of the Lord of the harvest, causes the trees of the Lord to bring forth in old age."

<sup>1</sup> For this and one or two others, see Appendix (k).

<sup>2</sup> Rev. Micah Stone, born 22 September, 1770, 77 y. 9 m. 8 d.

Rev. John Fiske, D.D., 26 October, 1770, 77 8 1

Rev. Thomas Snell, D.D., 21 November, 1774, 78 7 6

<sup>3</sup> Rev. Mrs. Pope of Spencer. [To this note Dr. Pierce added a reference to an earlier volume of his Memoirs, giving an account of his visit to Leicester



From the discourse of my friend, and what I learned from others during my visit, I was led to conclude that he had not only done the work of an evangelist faithfully, but had also been permitted to witness rich fruits of his labors. Indeed, I hardly know to what place I should be more likely to refer a person for evidence even of the worldly prosperity which a good minister may be instrumental in effecting than to my friend who has passed a long ministry among a united people,

“Who ne’er has changed, nor wished to change his place.”

When he settled with them, 50 years ago, there was not a painted

Academy in 1847. The passage referred to is as follows: “Wednesday, 11 August, I went in a buggy with Laura Flint to Spencer, and called on the widow of the Rev. Joseph Pope, whom I heard preach 10 sermons while I was at Leicester. He was a native of Sterling, was ordained at Spencer, 20 Oct., 1773, and died March, 1826, in the 79th year of his age, and in the 53d of his ministry. In religious sentiment he was a moderate Hopkinsian, an amiable man, and much loved by his people. His widow was the daughter of Col. Benjamin Hammond of Newton, and though in her 93<sup>d</sup> year, having been born 16 December, 1764, we found her making cheese. Not only so, to my surprise she recognized me at first sight; and not only so, but she repeated without hesitation 5 stanzas of poetry, written by Widow Elisabeth White on the death of the Rev. Amos Adams of Roxbury, who was born at Medfield 1 September, 1728, ordained at Roxbury 12 September, 1753, and died of fever, occasioned by preaching a third service in the open air to a regiment of 900 men after preaching all day to his own people. He died 5 October, 1775, a little past 47 years of age, and 22 years in the ministry. It is not a little remarkable that neither the son, æ. about 67, nor the grandchildren should ever have heard her recite this poetry.

Ode on the death of the Rev. Amos Adams of Roxbury, by Wid. Caleb White,  
born 22 May, 1747.

Hark! from yonder towering spire  
The winds convey a solemn sound,  
Some worthy soul has left this life,  
And weeping friends his grave surround.

Like those of old that wept aloud  
For Israel at Atad’s floor,  
So these do weep aloud and mourn;  
Adams is gone, and is no more.

He’ll be no more molested now,  
Nor pilgrim-like be drove from home,  
He dwells where peace forever reigns,  
And enemies can never come.

Methinks I see him soar aloft.  
With what rapidity he flies!  
By angels convoyed through the air  
Until he gains his native skies.

Methinks I hear the Heavens resound,  
Departed saints and angels join  
To chant forth the Redeemer’s praise,  
And Adams learns the song divine.”]

house in the whole town, nor a floor covered with a carpet. From his account I should infer that it was a notoriously rum-drinking place, even in that rum-drinking period of our State's history. In 1812 he preached a sermon on temperance which excited an uproar similar to what the Apostle Paul encountered from the worshippers of Diana at Ephesus. He had taken great pains to ascertain the precise amount of ardent spirits consumed there in the course of a year; and to the astonishment of all he proved that the cost amounted to more than \$8,000 a year! The result of this frightful exposure, though at first it threatened his dismissal, was at length happy. So that he could justly accommodate to his own case the language of the apostle to the Corinthians, "Though I made you sorry with a sermon I do not repent. Now I rejoice, not that ye were made sorry, but that ye sorrowed to repentance; for ye were made sorry after a godly manner that ye might receive damage by us in nothing. For godly sorrow worketh repentance unto salvation not to be repented of." These measures led by degrees to so thorough a temperance reformation that for a number of years it has been made a condition of church membership that the candidate promises wholly to abstain from every thing which can intoxicate.

The general aspect of the town bears testimony to the salutary influences of the temperance reformation. No spirituous liquors are vended. The farms exhibit tokens of improving cultivation. The houses are neat, and mostly painted. They have a large and elegant Town Hall. The meetinghouse, in the erection of which there was much controversy during the influence of rum in the place, is neat and commodious; and all wranglings about it have long since ceased. There is a steady and hopeful attention to religion. Even their cemetery is enlarged and beautified, and is about to come under still farther improvements. No stranger, I think, could pass through this place, and not believe it a temperance town, where there is a good degree of religious union, and in evidence of their thrift point to the roads, the fences, the buildings, the outhouses, the farms, the gardens, and especially the public buildings, among which are some thriving factories. "Happy is the people that is in such a case; yea, happy is that people whose God is the Lord."

Very different from the result of Dr. Snell's reformatory measures was that of a young minister<sup>1</sup> in Middlesex county not many years since, who took pains from the most correct sources to estimate the amount of ardent spirits annually consumed by the inhabitants. The discourse in which he announced the facts led to such wranglings and alienations that he found it expedient to go away. The only ground of accusation against him was, not that he had mis-stated a single fact, for he was ready to produce proofs of all that he had asserted, but simply that "the truth is not to be spoken at all times."

<sup>1</sup> Rev. A. A. Phelps, Hopkinton.

But a single communicant of Dr. Snell's church survives who was a member at his settlement, while two men and three women are living in this town who were members at the time of my ordination.

Dr. Snell has been detained from public worship by illness 15 days, while my detentions have been but 13,—the last 32 years ago on 3 March last.

From present appearances future jubilees will be much more rare than they have been in seasons past. This is partly owing to ministers themselves; but much more to their people. Ministers themselves seem not as formerly to enter into the ministerial relation as if it were for life. Hence they are more ready to meet, if not to seek, occasions to go away. Popular opinion is greatly altered, which formerly contemplated the union of minister and people as solemn, as mutually obligatory as that of man and wife. Now the dissolution of ministerial connection is an every day's occurrence. But this clerical instability is more owing, if possible, to the people themselves.

One source of difficulty and perplexity, when a parish is vacant, [is] to hear too many candidates. Some, as injudiciously as possible, invite 3 or more to preach in succession before coming to a choice. The almost invariable result is, each secures friends who with difficulty yield their preferences to others. Hence the danger of disunion. The reason why this parish has been so united in the choice of a pastor in the last three elections, embracing a period of more than 88 years, doubtless is, that in each instance they settled the first candidate whom they employed.

Another measure, now growing common, which too naturally leads to a minister's discontent with his parish, or a parish with their minister, is the stipulation that on the minister's or the people's giving 3 or 6 months' or a year's notice of the intention on either part to dissolve the solemn connection at the expiration of such notice, the connection shall be forthwith dissolved. How different this from the more cautious provisions of former times! Then when from any cause it was proposed to dissolve the ministerial connection a mutual council was called of pastors and delegates from neighboring churches to whom the matter was referred; and the result was often salutary to both parties concerned.

I cordially congratulate you, my friends, that in the late settlement of my colleague you were not induced to adopt this unadvised innovation, but that he was ordained in the good old way. God grant that this sacred connection, so auspicious at its commencement, and with such tokens of growing satisfaction to all the parties concerned may be as lasting as life and as happy as it is lasting.

I can think of no more appropriate close to a discourse a great part of which has been suggested by the recent jubilee of a highly respect-

able clergyman in the heart of this Commonwealth than in the closing hymn of the poet Bryant :

"Thy love, O God! from year to year,  
Has watched thy faithful pastor here,  
Till fifty years of toil have now  
Engraved their tokens on his brow.

"Fast have the seasons rolled away ;  
A moment in thy sight were they,  
Yet while their rapid course was run  
What mighty works thy hand has done!

"What empires rose, and at thy frown  
In sudden weakness crumbled down!  
And barriers reared by earth and hell  
Against thy truth gave way and fell!

"Meanwhile, beneath thy gracious sight  
This flock has dwelt in peace and light,  
By living waters gently led,  
And in perennial pastures fed.

"Oh, when before thy judgment seat  
The pastor and his flock shall meet  
May thy benignant voice attest  
Their welcome to thine eternal rest."

#### APPENDIX.

##### (a) Dr. Peter Thacher.

Dr. Thacher was settled at Malden and married before he was 19 years of age! His eldest son, Rev. Thomas Cushing Thacher, was born when the father lacked 5 months and 10 days of being 20 years of age. He was a youth of great popularity; and soon after the death of Dr. Cooper, of Brattle Square Church, Boston, he was invited to settle there. This offer was too tempting to be refused. It is said on receiving it he desired his church to remain at the close of service, and broke the matter to them by saying, "Brethren, I have a loud call from the Lord to leave you." Upon this one of his deacons is represented to have replied to him, "Sir, if we could treble your salary, and pay you punctually, you would not hear the Lord." So conscious was he of upright motives in this change of place that his first sermon after installation is said to have been from I Peter, v. 2, "Not for filthy lucre, but of a ready mind."

##### (b) Dr. Samuel West.

Though Dr. West and his particular friends vindicated him in leaving his people, yet many of his flock could never be reconciled to the

measure. By his social disposition he perhaps rendered himself more agreeable to his people than by his preaching. He had a great knowledge of human nature. Moreover he was greatly aided in intercourse with his people by the excellent properties of his wife. . . . He was blessed with a partner every way suited to him; and though born and educated in a country town, Medfield, yet she possessed good sense. Her manners were pleasing, and she found no difficulty in adapting herself to the most polished of her husband's parishioners.

Previously to Dr. West's invitation to Boston, namely on 20 April, 1787, there was a great fire at the south-end of Boston, which commencing at a bake-house in Beach Street, and swept away, it is said, more buildings than at any former fire in Boston. Among the rest, the old church in Hollis Street was consumed. Though a boy, short of 14, I ran every step of the way from my father's in Dorchester, and was a spectator of this conflagration. On the Neck I met some women with children on their backs, shrieking with agony. At the South End I saw unprincipled wretches stave in barrels of sugar and of flour, and load bags with their spoils. At that time La Fayette, America's fast friend in time of trouble, sent from Paris £100, to be distributed among the sufferers. Collections were also taken in most of the neighboring churches. In process of time by aid from the benevolent the Hollis Street Church was rebuilt. The Episcopal Church in Cambridge having no use for their bell loaned it for the new church; and soon after it was built Dr. West was translated from Needham to the ministry of Hollis Street Church. These combined circumstances occasioned it to be said of these South-enders, that they begged their meetinghouse, borrowed their bell, and stole their minister.

(c) Dr. Daniel Dana cannot be said, in strict propriety, to have arrived at his jubilee with his people. For in 1820, when he had been pastor of the 1 Presbyterian Church in Newburyport 26 years, he entered upon the Presidency of Dartmouth College. But finding himself ill adapted to said station he returned the next year, and was settled over a fragment of his old people in Harris Street, Newburyport, the very section of the old church who had left it at his early settlement on account of dissatisfaction. It is not a little remarkable that on his return to the former place of his settlement he should be installed over these malcontents. At length some difficulties arising in the church respecting a member who had failed dishonorably, and whom Dr. Dana was unjustly charged as favoring, he insisted on a dismission, though the Council summoned on the occasion wholly exculpated him. After preaching more than half a century to these two societies, and delivering a public discourse which has been published; he is now minister at large.

(d) Dr. Cooley had his jubilee on 27 & 28 August, 1795 [a mistake for 1845] in commemoration of his first services in Granville; the season of the year in which he was ordained not admitting of such a multitude as were invited and expected to keep his jubilee. I have his jubilee discourse.

(e) Rev. Benjamin Wood was confidently expected at Dr. Snell's jubilee. His last days threaten to be embittered by the recent formation of a Unitarian society in the midst of his people. How many they will be likely to alienate from him I have not yet learned. I possess his jubilee discourse which he kindly sent me.

(f) Rev. Dr. Fiske possesses remarkable vigor for a man of his years. I have his jubilee discourse. Though nearly 3 years my senior in years, and a few months in the ministry, yet I hear of no motion among his people toward a different state.

(g) Rev. Isaac Braman. I have his jubilee sermon. . . .

(h) Monument to the Rev. Joseph Appleton, lately erected by his only son.

In memory of  
The Rev. Joseph Appleton,  
The II<sup>d</sup> Pastor of  
The II<sup>d</sup> Parish in Brookfield.  
Born 1761  
Graduated 1772  
Ordained 30 October, 1776.  
Died 25 July, 1795.

Solemn and fervent  
in prayer;  
Pathetic and instructive  
in preaching,  
A shining example of  
The passive virtues, and  
Whose end was peace.

This monument is erected by  
William Appleton, of Boston,  
youngest and only surviving  
son of  
Rev. Joseph Appleton,  
who wishes to cherish the memory  
of his honored father.

In memory of  
Joseph Appleton, Jr.  
II<sup>d</sup> son of the Rev. Joseph Appleton,  
who died 3 February, 1795,  
aged 13 years,  
a most amiable and promising youth

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In memory of  
Deacon Walter Walker,  
who died 14 December, 1835, aged 62 &  
Priscilla Walker, his wife,  
who died 30 October, 1835, aged 60.

Order of Services at the Jubilee.

Rev. Lyman Whiting, of Lawrence, born in the town when his mother was 55 years of age, began with some ingenious extemporaneous remarks.

Rev. Wm. Nichols, teacher in S. Brookfield, former colleague of Rev. Micah Stone, made a short invocation.

Rev. Levi Packard, of Spencer, read very appropriate passages of Scripture.

Dr. Fiske offered a judicious prayer of 10 minutes.

The sermon was 1 hour & 26 minutes long.

Rev. Dr. Joshua Bates, of Dudley, offered the concluding prayer at the ill-judged length of 15 minutes, considering that the exercises had already been so long, and that so large a portion of the audience were so crowded or uncomfortably seated.

The Hallelujah Chorus concluded the exercises in the church.

Hon. Samuel A. Green communicated for Hon. HENRY CABOT LODGE a selection of family letters written by Mrs. John T. Kirkland, with an introductory note by Mr. Lodge.

The writer of these letters was Elizabeth, daughter of George Cabot, Senator of the United States from Massachusetts from 1791 to 1795. She was born at Beverly in 1785, and after the death of her father in 1821 married the Rev. John Thornton Kirkland, a distinguished Unitarian clergyman of Boston and President of Harvard College from 1810 to 1828. Dr. Kirkland resigned the presidency of the College on account of ill health, and the following year he and Mrs. Kirkland went to Europe and travelled there and in Egypt and the Holy Land for three years. Few Americans comparatively speaking went to Europe at that period, and the contrast between modes of travel then and now as shown in some of the following extracts is not without interest. But the selections here given are almost wholly confined to those portions of the letters which describe the society the writer saw and the people of more or less historic interest whom she met. Mrs. Kirkland was a clever woman of marked character and a keen observer. Her descriptions and criticisms seem, there-

fore, to have value and interest as an early American view of a society and conditions of life in Europe which have now completely passed into the domain of history.

Ship "Sally," May 1st, 1820.

About noon yesterday we fell in with the English brig "Finley" from Liverpool bound to Nova Scotia. As we could neither of us make any progress, Captain Macey took our small boat and with several of the passengers went on board the "Finley." After a visit of half an hour they returned bringing with them the commander of the vessel, Captain Hall, and Mr. Blanchard, a lawyer of Nova Scotia, his only passenger. They also brought with them presents of potatoes, fresh beef and ale. They stayed dinner with us, and it being the King's birthday we toasted him in a bumper of champagne. The company became very lively after emptying six bottles of champagne in addition to other wines. We have one or two good singers among us, particularly a Mr. Vouthier, a French gentleman, who sings delightfully and frequently gives us one or two songs during dinner. Mr. Blanchard seemed much pleased with his visit and thought he could be content a whole year aboard our ship. About sunset they took their leave and Captain Macey presented them with one dozen claret, half a dozen champagne, several roots of horse radish and a leg of mutton, in return for their gifts. After they reached their vessel they hoisted their colors in token of amity. It was a delightful occurrence to meet other living beings beside ourselves on the ocean, and a rare one to be permitted to have intercourse with them. There is a heavy penalty for any ship that deviates in the smallest degree in her course for the sake of speaking a vessel, and Captain Macey says it is the first time he has ever done such a thing.

PARIS, May 22d, 1829.

We passed last evening at Gen. Lafayette's. Mrs. Welles was so kind as to take us with her in her carriage. The general has a party every Tuesday evening to which all strangers are invited and as many Parisians as choose to come. He lives in but little style, but his manners are cordial and affectionate to every one. There were not many ladies but many distinguished men. Benjamin Constant, one of the old political leaders of the liberal party in France; Col. Morgan, but not his lady:<sup>1</sup> she was there the week before. She seems in good repute here though her works are not very moral, and even as Miss Owenson her name was not without reproach. Her husband is a good looking man. Mr. K. had some conversation with him and he expressed a wish that we should visit them in Dublin which is the place of their residence. In Paris they never introduce their guests as is the custom with us. Your name is announced at the door, and that they consider enough.

<sup>1</sup> Lady Morgan, the author of "Wild Irish Girl."



PARIS, June 4th, 1829.

In the course of the week we have dined with the Marquis Marbois. Among the guests were a duke and a countess and several of the House of Peers. The marquis was dressed in a suit of black with his star and ribbands and gold buckles in his shoes. His manners were simple, and the most perfect ease pervaded the assembly; walking the room or sitting, just as you preferred. Much less formality than at our parade dinners. I was seated at the right hand of the marquis, with General Lafayette on the other side. They both speak English perfectly well so that I suffered but little from my ignorance of French. It is not customary to drink wine with any one at the table, and the servants do all the carving and serve you. It was a very splendid dinner. We had eight servants in appropriate dresses. The valet de chambre who stood behind the marquis' chair wore a complete suit of black, the others in drab and blue with different colored waist coats according to their different occupations. In the centre of the table was a large plateau with a silver frame. At each end of the plateau was a vase of natural flowers and the rest was filled with exquisite figures made of porcelain. The table is very wide and all the dishes with the exception of one at the head and the foot are arranged at the side. All the service was of silver except the plates which were white and gold with the owner's name in the centre. It is impossible to say what many of the French dishes are, but the best of their cooking is delicious. Nothing can present a more inviting appearance than such a table, so much taste is manifested in the arrangement of everything, and then the servants perform their parts so well. Each has his particular duty assigned him and is as well disciplined in it as a soldier in the army. I could not but admire the manner in which the table was cleared when we finished. It seemed as if by magic. I was at General Lafayette's on Tuesday evening. I there saw Lady Morgan. She pretty well answers Neal's description of her. She has a coarse Irish face, a blurred eye, and a short lop sided figure. She was very much dressed and somewhat highly rouged. She appeared however to think herself irresistible. She was haranguing a circle of beaux in the middle of the room, and was at least very conspicuous. The General's parties are not stylish, but rather pleasant. Much dress is not required and you meet all strangers and many Parisians. The French women are less artificial than we commonly suppose. But few of them rouge, not near as many I am told as in England. As a nation they are not handsome, and the men are little better than cyphers. The women do everything here.

PARIS, June 18th, 1829.

The Minister of the Marine has called upon us, and perhaps in my next I may give you an account of one of his parties. He lives in the

greatest style, and you meet the most distinguished persons at his house. This I am told from others. I have heard much of the famous ball he gave last winter to 2000 persons. His palace is next to Prince Talleyrand's. The winter is the time for seeing the society of Paris when almost any respectable person may attend 3 or 4 soirées in an evening, where you may meet Marshals Soult and Grouchy, Talleyrand and some of the literary characters, Baron Cuvier and others.

PARIS, July 9th, 1829.

We were at a soirée at Hyde de Neuville's last evening. He lives in a palace that was once occupied by Marie Antoinette. It is a most splendid residence, and trains of servants. Many distinguished personages were there among others Gen. Maison lately from the Morea, and now created Marshal. He appeared in his new costume, which was very brilliant, covered with gold embroidery. Duchesses and Countesses and one or two very beautiful women. We did not stay more than 3 quarters of an hour; no other pleasure than the gratification of curiosity. A lady must not enter the room with a gentleman. Her name is announced and she walks by herself through the crowd, and without any other introduction makes her courtesy to Madame. Her husband follows a moment later. Whoever is seated next to Madame fills it but a few minutes. Each guest takes the place in turn, and all depart without bidding good night.

MILAN, Sept. 28th, 1829.

We did not see much of the society of Geneva, for such an influx of strangers blunts the edge of hospitality. We were at Mr. Chenevierre's two evenings. He is rector of the academy, handsome and agreeable, with a sweet little wife, cordial, lively and simple in her manners. At their house we met Mrs. Reaves, an English lady of much information and intelligence. She had the misfortune to lose her husband and two children in one year, leaving her an only surviving son. She resides in Geneva for the benefit of his education, thinking that it unites more advantages for this purpose than any spot in Europe. She questioned us about our writers, seemed very well acquainted with American literature through the *Christian Examiner*, a better work of its kind than any in Europe. She is a Unitarian, granddaughter to the famous John Taylor a divine, and daughter to Professor Taylor of Hackney. She talks as much about our clergy as a Bostonian could have done. It surprised me till I knew her history. . . .

We visited the Ambrosian library, containing ancient manuscripts and some curious books, but these dusty tomes have but little attraction for me. We next went to the refectory of the suppressed convent of St. Maria della Grazie to see the celebrated picture of *The Last Supper* by Leonardo de Vinci. This masterpiece, as it is called, has suf-

ferred so much from time and ill usage, as to need the eyes of an amateur to discover its peculiar excellence. . . . We went to the theatre La Scala, thought one of the most beautiful opera houses in Europe. Madame Lallemande, who is a favorite actress, played the part of the Maid in the "Maggie and Maid." After which we had a splendid ballet, the dancing much superior to that we saw in Paris, but far less delicate. Indeed nothing could be worse, except that you can hardly realize they were human beings, their motions were so light and wonderful. The music was the sweetest I ever heard, certainly the Italian voices surpass all others. The house was very full, but the most perfect decorum prevailed. We sat in the pit which is much the best place for seeing, and quite different from ours, being as nice as a drawing room. The seats have backs to them and are well stuffed. You enter nearly on a level with the stage, immediately in the centre of the pit, and a broad avenue conducts to the seats on each side. You are not pushed and jostled, but move on entirely at your ease. The use of the military around and within their theatres preserves perfect order, and I have not the feeling which Mr. K. says he has, a fear that he shall do something that will make them bayonet him. We have not travelled after dark, but I have not felt any more fears for our safety than I should in America.

FLORENCE, Oct. 28th, 1829.

As we entered Florence we met Prince Leopold with his suite. His carriage was decorated with bunches of flowers, and had six horses driven at their utmost speed. This is always the manner of the nobility; they pass you with the quickness of lightning. He was preceding his brother the King of Naples, who has been here with his beautiful daughter Christine. They are taking a circuitous route to Spain, where she is to be married to her old uncle the King of Spain, if he is living. Report says the King has been very ill, and fears are expressed lest she may return without the crown. Mr. K. saw her and all the Court at the races after our arrival, but I did not learn they were to be there in season to go. Her beauty in his eyes did not quite come up to her reputation, but perhaps it was hardly fair to judge upon so cursory a view. We have frequent visits from Mr. Ambrose, the Consul here. He is an unaffected person, of great information. Mr. K. expressed to him a desire to see some of the clergy, if any of them spoke English. He said he would procure him an interview, or if he desired it, would put any questions in writing, and would obtain replies. He seemed to think the great influence of the clergy was at an end. My husband asked him what they did with the Cavaliere system. Oh, he said, they could do nothing about that, the people would not bear it. He said neither the clergy nor the government interfered in those matters. . . .

This morning we called to see Mrs. Patterson.<sup>1</sup> She still retains a great deal of beauty, seemed very lively, is much attached to Florence, and appeared to think she would never quit it. She is in the court circle, told me she was out every night of her life, and as amusement and excitement was her object she should never return to America. She expressed surprise that her son did not prefer a residence here to there, but said he was of a very different temperament from her — more calm, that she never could make him ambitious, that she had done all in her power to render him as much so as Napoleon, but all in vain. I was told by a particular friend of hers that she spoke of the folly of her marriage with Jerome Bonaparte, that by it she had destroyed her happiness. It was observed when she was last in Boston that she was negligent of her dress. It is not so now, taste and neatness were displayed in her dress. Her conversation is free and open, but I was informed by those well qualified to judge that her conduct here had been perfectly respectable. She is a very entertaining person to meet, and received us with great cordiality. She enquired with some solicitude whether her son was gaining flesh, observed that it clogged the intellect, and laid a weight on the imagination, rendering the unfortunate possessor less spiritual.

Last evening we passed with the Princess Charlotte, the daughter of Joseph Bonaparte, who married her cousin, the son of Louis the former King of Holland. She lives with her father-in-law. She is a small woman, entirely devoid of beauty but very unpretending and kind in her manners. She speaks English quite well, expressed her regret that her being in the country had prevented her from seeing us before and her hope that now she had come to the city she should see us very often. Charles Bonaparte was there, who has called upon us several times, but his wife having been sick we have not yet gone to his house. The Swedish Minister with his wife and two or three pretty nieces were there, and several other persons of distinction. It was a small party, we went at 9, and returned just before 11. The drawing room was hung with crimson silk, and ornamented with several large paintings — the Capuchin Chapel, just like Mr. Wiggin's. There were five copies taken of it, I do not know how the other 3 are disposed of; a full length portrait of Napoleon's mother, and one of which I did not know the subject. Teas with syrup and water were served twice in the evening, but at many places I believe they do not hand you even a cup of cold water, unless you ask for it. Mrs. Jarvis seemed delighted with the European mode of seeing company, thinks with regret of the money she expended, and the slave she made of herself in America. She is determined when she returns to try to introduce a new system. Our countrymen here look back upon our parties as extremely vulgar

<sup>1</sup> The first wife (Miss Patterson of Baltimore) of Jerome Bonaparte.

from their abundance of good things, but I do not respond to the sentiment, for though it may be true that we carry it to an excess yet their excessive commendation of an opposite course probably arises from a desire to save themselves money and trouble. This evening we go to Mrs. Percival's, an English lady; whom and what we see I will tell you on the next page. I ought to have mentioned that music, and looking at prints, with conversation, filled up our time much as at tea parties. One gentleman, I did not hear his name, played on the piano and sang most delightfully. The company at Mrs. Percival's was principally English, some very pretty women. She received us after the manner of her own country, seating us round the table and giving us a nice cup of tea in a small circular room with a bright fire. The meal being over we adjourned to the salon, where prints and pretty things were displayed for those who chose to occupy themselves with them, and the harp and the piano offered their attractions to others. Although Italy is so famed for its music, the company on these occasions bestow but little attention on the performer, less I think than civility requires, especially when, which frequently occurs, he is no less a personage than a prince. This was the case at Mrs. P's and she kept his highness with fingers literally loaded with jewels, striking the keys for about 2 hours, till he had nearly completed the whole music of some celebrated opera. As he was about finishing an overture my lady hostess would run to the instrument lavishing upon his performance the highest encomiums, and begging him to commence another, and no sooner was he started than she was off discussing most volubly some fashionable topic. The Marquis Strozzi and the Marchesa Strozzi were there and received great attention from all the lovers of nobility, and particularly from the eldest daughter, a handsome girl but a little spoilt by a residence among the great, who venerates mere titles when they have nothing to dignify them. Mrs. Patterson thinks so many of her young country women injured by coming abroad, that if the report of her son's engagement with Miss Williams be true, she hopes he will not bring her to Florence even for a visit.

Your friend William Amory is here, and will probably go on to Rome with us. We find him very pleasing. He went with us last night to the Pergola to see the opera of Cinderella and the ballet of the Somnambula. The theatre is a beautiful building, very neat and tasteful. The music was excellent, and the dancing much like what we saw at Milan. In private quadrilles are not danced at all, nothing but waltzing. We were at a small party on Sunday evening, not more than a dozen ladies present, but the waltzing was introduced. I was asked if I thought there was any harm in it. I told them no, not in a country like this, where pleasure was a part of their religion.

Yesterday we dined with Mrs. Prime, a luxurious dinner to a small

company. Mr. Ambrose, Mr. Bradford, and Mrs. Patterson were the only guests beside Mr. and Mrs. Manigault and ourselves. Mrs. Prime has been confined but a few weeks, and is not well enough to partake of the gaieties of Florence, but her husband is very current with the great people. Private theatricals seem a fashionable mode of entertaining with the opulent, but we have had an opportunity of witnessing them only once, that however was at the house of Mr. Finzi, a very rich Jew who lives a few miles from the city. The company was very numerous, Mr. Ambrose said unusually so, some distinguished people from all nations; the play was *Orestes*, one of Alfieri's most celebrated tragedies. We could judge only of the acting, not knowing the language. We thought this very good, particularly the high wrought scenes at the close where *Orestes* rages. The part of the heroine *Electra* was by the lady of the house Mrs. Finzi, and *Clytemnestra* by her sister. After the tragedy we had a piece something resembling the "Actress of all Work," on purpose to show the powers of Mr. Finzi's little girl not much older than Nan,<sup>1</sup> which are certainly quite remarkable. In this piece *Vestris*, who is the most noted comic performer in Italy, made his appearance also. He is a great favorite with the public, and was received with loud applause. Indeed it was not necessary to be conversant with the language to perceive that he was a man of infinite humor. The house is very large, though no one room strikes you as uncommonly so, but suites of apartments communicated with each other. We first entered the reception room, then passed on to the drawing room where we listened to a duet, and trio, by the best Florentine singers, having one of the most scientific performers to strike the piano. Some refreshments were now handed, and the crowd made their way through diverse rooms, corridors, staircases to the theatre. It was about ten o'clock when the curtain rose, and half past eleven when the first piece was concluded. Then came teas, sorbets, and cakes, no unwelcome sight: after this recruiting of the spirits, we had the farce, and before one o'clock adjourned to the dancing room where the waltzing commenced with great vivacity. We gazed for a short time on the light figures that were twirling in the dance, and proceeded to the supper room, where we did some justice to the tea, coffee, cakes, sandwiches, grapes, wines, etc., then ordering our carriage made the best of our way home, reaching our mansion at half past two o'clock.

FLORENCE, Nov. 8d, 1829.

We have made two more visits to the Bonaparte family since I wrote your mother. They show considerable philosophy and real greatness under their reverse of fortune, by cheerfulness, apparent contentment, and cherishing the domestic affections. They are proscribed by the

<sup>1</sup> Her niece, then eight years old.

government although allowed to live here and consequently none of the present nobility have any intercourse with them, so that they live almost isolated. I have been much pleased with what I have seen of them, they are so kind and simple in their manners. At the Countess Surveillier's the other day we met Queen Hortense the wife of Louis Bonaparte. The Princess Charlotte observed to me that her father-in-law and her aunt were not on good terms, that she usually resided in Rome, but that she would introduce me to her aunt, for as she gave parties and lived very gaily, I might find some amusement in visiting her. The Princess Charlotte is a daughter of Joseph Bonaparte and is married to the son of Louis. She and her husband have great taste for painting, and he has painted a part of every evening we have been in his society. They have a number of little tables in the centre of the salon covered with pretty albums, and as some of the few guests are amateurs they seat themselves at a table and soon commence copying, or sketching, while we look on at what they are doing or have done, listening perhaps at the same time to a scientific piece of music. Such parties afford but little gratification except to one's curiosity. We like to know how the great kill time, and you cannot but be agreeably impressed with their cordial and friendly manner of receiving you.

You may remember hearing Mr. Greenough,<sup>1</sup> one of your own countrymen, much spoken of as a young artist of great promise. He has been in Florence several years studying and endeavoring to obtain a share of patronage, but though his genius is highly spoken of he has not been very successful in getting employment. We went to his rooms to look at a bust he had been making of Mr. Bradford with which we were all delighted. He is to give him one hundred dollars for it. Mr. Greenough expressed a strong desire to take Dr. Kirkland's head in plaster, to which Dr. K. objected, telling him he could not afford to give a marble bust to any of his friends, and that he was unwilling to occupy his time without remuneration, but he said he had a great deal of leisure and that he wished to do it for his own gratification, so Mr. K. yielded to his solicitation and when it is completed I will tell you what I think of it. It does not strike me that he has a head for a bust. His forehead is good but his nose is very flat, and I am afraid that it will resemble the bust of Socrates, which is very ugly. Mr. Greenough hopes to show me that my judgment is erroneous, and I suppose that he flatters himself that some American passing through here and desirous of benefiting him, may be so pleased as to order one in marble.

We went with Charles Bonaparte to see the private library of the Grand Duke. It contains 70,000 volumes beside many manuscripts such as letters of Tasso and Petrarch in their own handwriting. The books of engravings of birds and flowers and buildings are extremely fine.

<sup>1</sup> Horatio Greenough the Sculptor.

Last evening the Prince Borghese had his first soirée. During the winter he receives company at his palace every Saturday evening, being the only night in the week on which one of the theatres is not opened. The company begins to assemble about ten o'clock and at eleven the musicians appear and the waltzing commences. The carpets are not any of them taken up, for though they always dance and some of the company remain till 3 or 4 o'clock in the morning it is not considered a ball. He gives one or two balls during the carnival and then the dancing is in the great gallery. Borghese is a Roman Prince and very wealthy. His palace has recently been rebuilt and newly furnished. He is thought somewhat illiterate, but is said to possess taste in architecture, furniture, etc. The principal drawing room that we were in was entirely hung with mirrors only just moulding enough to set them in. The curtains and seats were of crimson satin, for there were no chairs, only elevated benches around the sides of the room, which were stuffed and covered with satin. This gave those who sat still a fine opportunity to see the dancers. The ceiling was arched and covered with fresco paintings with a rich chandelier suspended from the centre. All round the room were candelabra. Mr. K. counted 200 candles in the room. There was a fine billiard room in which some of the gentlemen were playing, also a refreshment room where was a table containing cakes, sweet meats, tea, coffee, etc., to which persons resorted as inclination prompted. Besides this ices and sherbets were served through the evening. The Prince has not thought of marriage since the death of Pauline,<sup>1</sup> and he is said to be consumed with ennui. He is very fat, a large feeder, and finds motion rather difficult. He remains in the reception room all the evening, which is the first room you enter from the antechamber, so that you see nothing of him after the first salutations are passed. At these parties you meet all the foreign ministers, and some of the nobility. We saw Lord William Russell, brother to the Duke of Bedford, Lady Normanby and a Polish Princess, very much famed for her beauty, with almost a crown of diamonds on her head. When she entered the room she with the wife of the Prussian Chargé took their seats next to me, and I had an opportunity of observing her very minutely, but I did not think her so handsome as she was said to be by others. Mrs. Patterson told me many persons called her the most beautiful woman in Europe. These parties of the Prince's are considered the most agreeable of any that are given in Florence, and I regret that they did not begin before as we shall leave before another takes place.

ROME, Nov. 29th, 1829.

To-day we attended at the Sistine Chapel, adjoining St. Peter's and belonging to the Vatican, to see the Pope<sup>2</sup> officiate. He is a mild ven-

<sup>1</sup> Pauline Bonaparte, Princess Borghese.

<sup>2</sup> Pius VIII.



erable looking old man. His robes were of the finest and most costly materials. Over his lawns and laces he wore a robe or cloak of crimson satin embroidered with gold, and fastened with a ruby of immense size. On his head a mitre of silver, which some of his numerous attendants put on and off as occasion required. The Cardinals wore dresses of purple silk with tippets or capes of white ermine. They each had two train-bearers, and were preceded by several of the inferior clergy, and one or two of the military. Soon after the Pope was seated in his chair of state they went one by one to kiss his hand, which ceremony was performed on the hand covered with the cloak. Some of the more privileged received a parting benediction just touching their shoulders. The gentlemen are permitted to enter the same apartment with his holiness, but we ladies are placed in a room separated by a gilt grating and required to wear veils.

PALERMO, Dec. 16th.

Yesterday we arrived here after a favorable passage 48 hours in a small brig of 50 tons with 91 passengers. We were not ready to leave Naples at the time the steamboat departed, and thought as we were so little liable to sea sickness that it was not very important to go in her instead of a common vessel. But the dirt we encountered is beyond my power to describe or you to conceive. Mr. Bradford went with us, and we had the best accommodation the vessel afforded. We had the only three staterooms that were on deck, so that we never had occasion to descend into the cabin, but a Marchesa with several servants and another lady with several gentlemen had their posts there and never left it during the voyage. How they could exist in such a foul atmosphere astonished us greatly. We carried a sumpter basket filled with good things and so wrapped and covered that it was impossible they could be affected any by the surrounding objects, yet the imagination was so filled with disgusting ideas, that it was impossible to eat. The fleas were a gigantic race ready to devour you, and the population that occupied the forward part of the vessel had their fingers so constantly in their heads that it was difficult to realize that even your eyebrows were not inhabited. The nice Naples soap with all the water I could use did little toward making me feel clean, and nothing but time's obliterating hand can produce that effect. I do not mean to intimate that all the packets between here and Naples are so filthy, but we were unfortunate in our selection. The situation of Palermo is beautiful; it resembles in its exterior an Asiatic town, but the English find it a disagreeable place of residence. They have little or no intercourse with the Sicilians and in matters of business a constant distrust of them, as they believe there is hardly an honest man in the islands. We dined at the Consul's, Mr. Gardner's, the other day, whose wife is a sister of Mrs. H. Edes. At their house we met several pleasant Englishmen,

but she complained bitterly of the want of society, and a desire to return to America; she says once there again she would never come back, but leave her husband to shift for himself. We have seen Dr. Bachi's family, neither his father nor mother speaks English and his sisters but little, but our friend served as interpreter between us. They were delighted to see Dr. K. and disposed to overwhelm us with kindness. They sent their carriage every day to carry us about the city and its environments. It is seldom that any of the American travellers visit Palermo, and Mr. Gardner and Mr. Bates recollect Mrs. Appleton's stay among them with great pleasure. We received last evening from the Duke of C. a splendid present of sweetmeats and confectionery which I wish I could transport to America. Had there been a vessel here for Boston I certainly should have sent them to you. The Duke has a sister living in one of the Convents and they were prepared there. The Duke's family is one of the first in Sicily, but like most of the nobility they have lived so much beyond their income that their estates are involved, and themselves troubled for present resources. It is a customary civility to send your compliments with sweetmeats to those persons who have any claim on your attention. I suppose we are indebted to the Bartolos for this politeness from the Duke, as we had no letters to him. He has also presented us with letters of introduction to some of the nobility at Naples and Rome. Mr. Bartolo holds one of the first offices here, corresponding to our Judge of the Supreme Court. His salary is 2000 pounds, but I do not suppose he has much property beside, and as he has four daughters it cannot be convenient to him to impart much of it to his son.

MESSINA, Jan. 9th, 1830.

We left Palermo on the 23 of Dec. and reached Catania on the 30th. The last day's journey we made in a lettiga, the road not being passable for a carriage beyond Regalluto. Catania is one of the finest of the Sicilian cities, and Aetna as seen from it is a noble object. The season was too far advanced for us to attempt to ascend the mountain, the summit being deeply covered with snow. It is more imposing in its appearance than Mt. Blanc and from its standing alone you see its outlines and magnitude. At Catania we were very kindly treated by Mrs. Thovis, an English lady whose husband had been a fellow traveller with us. She took us in her carriage to visit the Benedictine Convent, the most princely monastic institution in Europe. The gentlemen were admitted into the apartments of the Prior which were very magnificent, and the staircase leading to them almost regal, but they did not permit the ladies even to look at it. The chapel has a most superb organ, superior even in its tones to the celebrated one at Haarlem. The monk who accompanied us to the chapel was extremely polite, offering refreshments, coffee or chocolate, in the church. The reputation of the

fraternity is that of gaiety and dissipation. They are all of the nobility; none others are allowed to join them. There is no society in Catania but Sicilian, and it is dangerous to invite them to your house, for once having gained an entrance it is difficult to get rid of them. From Catania we were obliged to take the lettiga, there being no road but the mule path and some of that very bad. The scenery had but little attraction but the ocean and stupendous Aetna which you have before you all the way. The situation of ancient Syracuse is striking. The island Ortygia is all that is inhabited now; it has one of the best harbors in the world. We visited the catacombs which are more remarkable than those of Rome and the Church of St. John which stands on the spot where St. Paul is said to [have] first preached the gospel. The Capuchin Convent stands where are the immense quarries that were excavated under the direction of Dionysius. In this spot we saw a stone which recorded the death of a young American by the name of Nicholson who had fallen in a duel and was buried here.

The Duke of Cacamo gave us letters to the Intendente, and to the Archbishop, who was very civil to us, furnishing us with their carriages and liveried servants to go where we pleased. The Intendente invited us to his box at the opera two evenings which in this country they use to receive company. His will hold a dozen or more persons, and between the acts they serve you with ices. The theatre is extremely small, but the Prima Donna is a respectable singer. The Breda they call her, the person Capt. Stuart made such a racket about some days since. He got all his officers and ship's crew into this little theatre, and the inhabitants were quite alarmed lest he meant to take Syracuse. The Archbishop called to see us, a fine looking man with dignified graceful manners, he also presented us with sweets from the Convent most of which we left behind, being too rich to be salutary. We were also invited by a Cavaliere whose genealogical tree was of great antiquity, himself a noted antiquarian whose cabinet of coins, etc. was open to our inspection. He seemed very partial to Americans and told us he had six Americans buried at his villa. Our friend Mr. Bradford whom we left behind (it being his intention to go to Malta) said he should go to his country house to see the mementoes of his countrymen. Syracuse has been so often a harbor for our ships of war, that he has had opportunity to become acquainted with many of our naval men. We also dined with two Englishmen, Dr. Baker and Mr. Keynell, who gave us specimens of the wines of the country. Some sweet wines 20 years old very delicious. . . . Travelling in Sicily has all the inconveniences which I had expected to have found throughout Italy, but in which I was agreeably mistaken. Till I got to Sicily I found good fire places and plenty of wood and in most of the considerable towns carpets, but here of a cold rainy

day I am sitting on a stone floor, with only a handful of coals in a brazier, comfortless enough. The climate in winter is less good than I had supposed; for a month or two they are subject every few days to torrents of rain which swell the streams so much that you may be detained for several days and the roads as bad as can be conceived. A visit to this island should be made only in spring or autumn. In warm weather the fleas would be insupportable and even now you sometimes feel as if you were alive all over. They are immense animals, such as we have no knowledge of, and the lower classes of the people are so dirty that even the beauties of the smiling season would not induce me to be near them. Indeed there can be no adequate compensation for having such miserable wretched objects constantly before you. . . . It is rare to find our newspapers in these regions, Mr. P. is indebted to some Capt. for smuggling them to him. The Govt. are very strict as to the admission of books or papers, they seem to apprehend treason in everything; even Shakespeare is prohibited.

ROME, Feb. 27th, 1830.

. . . The Carnival is nearly over, and though you witness a great deal of foolery, yet there is so much excitement about it that you cannot stay away. We have been every day to the Corso. The concourse of people is immense, the beautiful Roman women in their carriages parade up and down the streets, masks and dresses of every description are to be seen. Some of the maskers enter into the sport with great spirit. One of the diversions is pelting your friends with sham sugar plums, unless they be ladies and then you throw them real ones of the best quality. Little machines for throwing bouquets of flowers into the chamber windows, some very curious masks with wind-mills at the end of the nose, or frogs dancing on the bridge. In short everything grotesque and fanciful is to be found. Dancing dogs, bears and other animals exhibit themselves. Children of every age in fancy dress or without are permitted to partake in all that is going on. It would be rare fun to George,<sup>1</sup> who has some taste for personating different characters, to play his part in the scene. John Bull seems to take as active a part and to enjoy the amusements as much as the Romans, sometimes you will perceive a dozen Englishmen together dressed as Jack Tars, vociferating and belaboring with all their might. There is some deduction from the gratification produced by this species of amusement in the unavoidable accidents which take place, notwithstanding the strong military guards of cavalry and foot. There is more decorum preserved than you would think possible. The soldiers are authorized to take up any person of whatever rank who is unduly rude. But in the jollity of the moment many persons encounter danger

<sup>1</sup> George Cabot, son of Henry Cabot, her nephew.

by going too near the horses and carriages. One woman lost her life by being rode over, and several broken limbs have been mentioned. Besides this, as the maskers are at liberty to enter private dwellings it affords an opportunity if any ill will exists, either from jealousy or any other cause, to gratify their revenge. It is said the season never returns without producing one or two murders. We heard of one a few days since. A young man who had recently been married to a lady to whom some other gentleman was attached, was standing just within the door of his house, when a person in a domino entered and began playing with him, striking his face. After a moment he drew from his sleeve a sharp razor and cut his throat so deeply that he bled to death instantly on the spot. His wife ran immediately to his assistance, but before they perceived what was done the assassin made his escape. We have been to two masquerade balls, the last of which was very brilliant and entertaining. The only alloy was a feeling of insecurity. The crowd was very great, the lights numerous and the house particularly inflammable. You could not help thinking that if a fire or a cry of fire was to occur, it would be the death of thousands. Many of the Americans were masked and one black domino who pursued Mr. K. and myself discoursed with great animation. We were not able to detect him, though we felt sure he must know us very well from a number of localities he introduced into his conversation. He spoke French very well, and affected to speak English imperfectly. He talked about Prof. Kickler as he called him and said that this would be a beau scène for Boston Madam Kirkland. A part of the time he was associated with some one dressed like an old woman with a hideous black mask. He said she had some designs on the Doctor and I must take great care of the black lady. He ran me very hard on this topic, but I could do nothing but laugh, for from the novelty of the scene I was entirely nonplussed. I was also accosted by the grand Turk who pretended to be an Italian, but finding I did not parlare Italiano he spoke English. As his subject matter was of a graver character I got along better with him. We have not been able to make much progress in sight seeing for during the carnival everybody is engrossed with that.

The Carnival is over and I am very glad, for there was such constant excitement and fatigue as to render it very exhausting. The last day I was occupied with gazing at something from two o'clock till eleven at night. Such a gay varied scene as you cannot imagine. At about dusk the maskers each take a light to carry about, and the object is to put out your neighbor's and keep your own shining. This created great diversion among those engaged in it. Besides this all the balconies and windows are lighted, and as the Corso is a straight street nearly a mile in length, it makes a most

brilliant appearance, and as you stood either end of it, looking through it, it seemed a river of light, every story being illuminated. The festivities ended by a crowded masquerade at the theatre which we attended for a few hours. The evening preceding this tumultuous scene, the Americans commemorated the birthday of Washington by dining together, ladies and gentlemen, to the number of 50. Mr. Cooper<sup>1</sup> presided on this occasion and was more courteous than when at breakfast. Indeed I believe he was as agreeable as he knew how to be, but urbanity is not his forte. I had the honor of being seated at his right hand, I was told at his request, a circumstance which ought to be flattering, and I therefore tried to think him as amiable as possible. The dinner was handsome, consisting of 60 covers, and very neatly served, a thing of rare occurrence in Rome. All the dishes were of silver and the other furniture of the table proportionably elegant. Two small flags the exact resemblance of our national one were a part of the decoration of the table, the chandelier had the names of the states twined around it, and the marble bust of Washington, which was borrowed from Mr. Trentanove, with a crown of laurels about his head found a conspicuous station. After dinner we had a very pretty song composed by Mrs. Gould and sung by Mr. McEuen of Philadelphia, to the tune of Hail Columbia. I have not read the song and can only remember the chorus began with "Ne'er shall ingratitude tarnish our souls while Columbia is free, etc." We had also a poem by Mr. Richmond of Providence, who was educated at H. U. This too was considerably commended, and Mr. Webb of Albany observed that he should have known both the productions to have come East of Connecticut by the talent they evinced. Massachusetts seems to hold a high rank in the scale of intellect, with the Americans. We had a band of music, and in the evening we made out to dance a little, notwithstanding there were so few ladies. We had Yankee Doodle played on the violin by one of the gentlemen. Of course none of the Italians could play that wondrous air. There were 13 regular toasts and but few volunteers, the gentlemen many of them leaving the table with the ladies and all of them very shortly after. Most persons appeared to enjoy themselves highly but not riotously, suited to the grave character of the Father of his Country.

I have never seen so much beauty as in this city. The Roman ladies surpass all others in this particular. It is a great treat to look at them when they are assembled on any public occasion. We were at the Princess Gabrielli's last evening. She is the sister of Charles Bonaparte and very much esteemed. She is less fashionable than the rest of the family, somewhat of a devotee. They have a half sister, the widow of Prince H, I do not recollect his name, a most splendid

<sup>1</sup> James Fenimore Cooper.

looking woman. We have not been able to see Madam Letitia yet, though I hope we shall before we quit Rome. I have considerable curiosity to see the mother of so many kings, Napoleon at their head.

FLORENCE, March 17, 1830.

We left Rome on the 10, and arrived here on the evening of the 14th. We had a pleasant journey and found our companions Miss Burney and Miss Seaton very agreeable. The former possesses the art of conversation in an uncommon degree and, having associated with the literary community, has a fund of entertaining anecdotes to relate. She remembers even visiting Dr. Johnson when a little girl, and speaks of him as very kind to her. Miss Seaton is descended from the same stock as Sir Walter's Catherine Seaton and is gifted with many of her attractions. She is quite handsome, somewhat of a heroine cast, with natural curled hair which she wears in her neck; musical, carries her guitar, sprightly and of ready wit. We joined her brother at this place and were sorry to find his desire to cross the Simplon, in preference to the Mediterranean route, will prevent us from having the pleasure of their society to Paris.

The day previous to our departure we dined with the Prince of Musignano in company with Mr. Morris' family of Philadelphia, several other guests and Mr. Cooper who was in one of his conceited disagreeable moods. Notwithstanding this however, the dinner passed off pleasantly and in the evening we had some of the pretty Italian women to look at and admire. We had fine weather for our departure and found the Siena route more pleasant than we had anticipated.

Previous to leaving Rome Dr. K. had a personal interview with the Pope, and was much gratified with his courteous affable manners and liberality of sentiment. Instead of kneeling to him on entering, as we were informed was customary, he rose to receive his guests and also when they took leave. To be sure they stood in his presence while he was seated. I should have paid my respects to His Holiness, but he never gives audience to the Ladies except in his garden, and his health was too infirm to permit him to go abroad.

LEGHORN, March 21st.

We were disappointed when we found Miss Seaton's health would not permit her to accompany us to Leghorn as she had contemplated. As I had packed up, a job that I am not fond of doing oftener than is necessary, we concluded to take our seats in one of the carriages that was going and the chance of whatever company it might offer. On entering the coach we perceived the back seat was occupied by a priest and a lady who was conversing with him in Italian and who we presumed was a native. We rode some hours before we found our mistake; she proved an uncommonly

agreeable English woman, whose dearest friend bore our name, and she would make out we were both descended from the same stock. She rendered us valuable assistance, in arranging our places with an English lord, and an excellent madam of her acquaintance in a vetturino to Genoa. Though we told her we had no titles in our country she persisted in calling us Lord and Lady Kirkland, and had our contract drawn up with these appendages to our names. She was intimately acquainted with Miss Watson, the daughter of the late Bishop of Landaff, and related to us some interesting facts respecting these great people. She had been a considerable rover and gave us memoranda of lodging houses, etc., that might be useful. If we make as much music out of the Lord we shall account ourselves very fortunate.

MARSEILLES, April 9th, 1830.

We were fortunate in having a charming young Englishman by the name of Oxenden for a fellow traveller a part of the way, from whom we parted very reluctantly, though not without his giving us an invitation should we go to Kent to find him out. Genoa is a pretty city beautifully situated, remarkable for its churches and palaces. We dined with Mr. Campbell who is our consul and a very gentlemanly man. After passing two days we left it in company with a Scotchman by the name of Stewart, a Dr. of medicine and divinity, somewhat distinguished I should judge in both professions, but perceiving that he was of the ancient faith of the Covenanters we did not enter the lists with him in controversy. The road from Genoa to Nice is along the shore of the Mediterranean, and is in some places formidable from having no parapet wall, especially when you ascend a height and look down on the broad ocean. Nice, so famed for its climate, is a sweet little town, much resorted to by the English, and possessing all the conveniences of living. From this place to Aix we joined an English lady with her son and daughter in a voiture. The latter, an interesting girl, appeared to be in delicate health, and as we rode in the cabriolet together seemed disposed to confide her secrets to me, and I learned that her sickness was more of the mind than of the body. I fear she is about to take a very foolish step. She said she had not a happy home, that her brother who was an only son engrossed all her mother's affections, that she felt the want of something to love, and having been attended by a French physician at Calais who became much attached to her, she had listened to a proposal of marriage which under other circumstances she should have rejected. She was now on her way to Calais to seal her fate, that her mother said she should never see her again, though she should not entirely deprive her of her property. I told her very frankly, that great as was the evil of marrying contrary to the wishes of her natural protector, that in her case it was small



compared to the character of the nation one of whom she was to entrust with her future happiness. That for myself I should rather encounter any misery that could befall me in a single state, than to form such a union. That she could not be insensible to the many attractions she possessed, and how many things might happen to improve her present condition. As she seemed to look to me as an adviser, I could not help doing all in my power to prevent her from forming a connection which almost made me shudder to think of, a beautiful refined young English woman, joined to a gross selfish Frenchman. However highly a visitant may appreciate the charms and fascinations of Paris, he cannot regard but with abhorrence the total want of fidelity and virtue which exists too often even among the higher classes of society. Much as has been said I do not believe it reaches the truth. My young friend was a distant relative of the author of *Inheritance*<sup>1</sup> the novel we so much admired. I think she called Miss Ferrier a Scotch lady. . . .

PARIS.

We went to Genl. Lafayette's last Tuesday evening, a very crowded soirée, but to me quite pleasant. Some persons object to the number of Americans you meet, almost all of them feeling authorized to go, but this does not incommode me; you also meet all the distinguished strangers from every part of Europe. Some of our country people are very aristocratic abroad, more so than any of the monarchists. We passed a pleasant evening with C. C. Harper the Secretary of Legation, but have not as yet seen the Minister. Mr. Rives does not appear very popular. He finds it too expensive to entertain as much as the people desire. Mr. Brown having a large fortune and no family was able to do more in this way than ought to be expected from most persons, especially as our government is rather penurious in their allowance of salary.

LONDON, June 3, 1830.

We have visited the National Gallery, and went on Monday evening to the British Gallery which contains only Sir Thomas Lawrence's pictures. Mr. Vaughan furnished us with tickets. You have here the opportunity of seeing some of the nobility and fashion of London. Indeed we amused ourselves exceedingly with the dress and deportment of some of the personages. I think the English ladies in general dress very badly. Mrs. Heber, the wife of the late Bishop, strikes us as somewhat gay, considering she has been spoken of as a sentimental heart broken widow. The Bishop of London was there, quite a small man, notable only by his appropriate dress. . . . Dr. K. and myself had been in the morning to the Academy of Arts to see the distribution of rewards to the different artists, expecting the Duke of Sussex would

<sup>1</sup> *Miss Ferrier*.

take the chair, but the state of His Majesty's health prevented and the Earl of Radnor occupied the place. We did not stay long for, though no one was admitted without a ticket, yet too many were admitted for comfort. We have seen Andrew Allen repeatedly at Dr. G's. and we walked with him one morning in Kensington Gardens. He seems to feel the death of his wife exceedingly, and his character has certainly changed. He has given up his dog and his gun, and his chief study is the Scripture. But he does not obtrude his religion upon you in society and is free from all bigotry. He retains his old manner of saying pleasant things. His English feelings are all awakened since his return to his country and I do not believe that he will ever quit it again. The wealth of England much as I have heard of it astonishes me. Mr. T. Wiggin observed to me, that he did not think there was a spot on the globe so distinguished for wealth, that it was diffused throughout the country, that there were more persons who could afford to live in style and who did live expensively than any place he had ever seen. Mr. Wiggin has some fine looking daughters who have been highly educated, at least in music and the modern languages. I believe they live very showily, but though they have given us invitations to dinner and evening parties, it has so happened that we have always been engaged. We dined at Mr. B. W.'s, the third time of asking, where we had a most splendid dinner. Some of the rich merchants live in as much style as the nobility. Mrs. B. Wiggin has got into a circle which pleases her very much. Most of them persons of large fortune, with here and there a title. For instance a Sir Harry and Miss Tothill daughter to Lady Tothill were a part of the company. We passed a most pleasant day with Mr. Hume. We there met Sir Robert Wilson whom we had not encountered before, though we had exchanged calls. He is a surprisingly young and handsome looking man, considering his age and the fortunes of war through which he has passed. I should have known him through the resemblance which he bore to his son. Dr. Bowring, with whom I am delighted as a companion, was there with Mr. Arnt, a writer on philosophy, Mr. Warburton an M.P., Mr. Campbell the head of the East India house, Miss Cartwright the niece of Capt. Cartwright the reformer (whose memoirs she has written) an intelligent woman. Mrs. Hume took me the following evening to the House of Commons, but I was not fortunate in hearing any of the good speakers. We stayed till nearly 2 o'clock expecting Mr. Peel would speak, and our arrangements for the next day would not permit us to remain any longer. The accommodations for the ladies are miserable; a sort of lantern at the top of the house<sup>1</sup> through which you look down upon the members. You hear

<sup>1</sup> The old House of Commons. The Ladies' Gallery, in the present House is little better than the one here described.

perfectly well, but I think the fair dames of the realm are entitled to a better place. I have seen my dear friend Col. Aspinwall, who gave us a cordial greeting. We dined there without any company except Mr. and Mrs. Bates.<sup>1</sup> They have got a charming family of children, some very pretty little girls, that they are educating with great care. Mr. A. seems in very delicate health, though better than he was a year since. They live at Highgate and Mr. Coleridge is their opposite neighbor. . . . The externals of London, notwithstanding its beautiful squares, splendid club houses and unrivalled Regent St., disappoint your expectations, but within their dwellings there is always comfort, and in very many of them the most refined luxury, but what makes London more interesting than any other place, is that all the mighty minds and extraordinary persons from every part of the kingdom, and indeed from almost every part of the world, are drawn for at least a part of the year within its limits. It is the people that constitute the charm of this great city. We have been kindly noticed by some of our Unitarian brethren. We dined with Mr. Yates (who wrote the reply to Wardlaw) he is a sensible man and has a sweet wife. By the death of his father he has come into the possession of a large fortune, has a fine house with excellent servants in plain livery, very hospitable though unostentatious in his mode of living. I could not help observing to him that the lines had fallen to him in rather pleasanter places than to most of his American brethren. We attended the Annual Meeting of the Unitarian Association, heard a very eloquent speech from Mr. Fox, which contained most flattering allusions to Dr. Channing, with much praise of our country and its free institutions. The next Sunday I went to hear Mr. Fox preach and was delighted with him. It was the only very fine preaching I have heard in Europe. We have also been visited by Mr. and Mrs. Tagart of the same faith, very pleasing in private, but I have not heard him in the pulpit. They invited us to meet Mr. and Mrs. John Taylor at their house, but we were unluckily engaged. You may remember to have heard the Kinders spoken of in America. We spent a sociable evening with them, where we saw Miss Flower of Hackney, as much distinguished for her musical powers as Mr. Dutton's nephew who is now making a noise among you, indeed this lady is much celebrated as a composer. She sang for us two songs without the instrument. Her face struck me as peculiar which led me to enquire concerning her. I was not aware what caste of features denoted a genius for music. I was asked in Paris if I had not a passion for music and the fine arts, upon my replying in the negative the gentleman expressed his surprise because he said I had a countenance that indicated it strongly. . . . On

<sup>1</sup> Mr. Bates was a partner in the house of the Barings and the founder of the Boston Public Library.

Saturday evening, which is the fashionable night, I accompanied Dr. G. and Louisa to the Italian opera where I heard for the first time the Garcia. Her voice quite answered our expectations. The house is much less beautiful than La Scala, the one at Milan. We are disappointed in the beauty of the English ladies, perhaps owing to our having too exaggerated ideas on the subject. Mrs. Codman told me that she considered them the handsomest people in the world. We saw a great deal of splendid dress, most costly jewelry; immense emeralds surrounded with diamonds glittered about us. The house was very full and Mr. G. Richards who was our beau told me he never heard Madam Baum sing better. Mr. K. chose taking tea with the Dean of Chichester in preference to joining us. He thinks this love of Italian music, an acquired taste, and that he is too old to learn. As the opera is a very expensive amusement, it is not wise to go without a strong inclination. This once will suffice for me, as it was chiefly curiosity that carried me.

We have taken breakfast with Lord Holland at Holland House at Kensington en famille, and were much gratified with our visit. It is the house where Addison lived and died. An ancient structure containing very large apartments not very showily furnished, but every thing upon a great and you may say luxurious scale. We were ushered through several rooms to the library where his Lordship received us with great cordiality and simplicity. He took us through the house before breakfast, showed us the different rooms appropriated to his books which are very numerous, 20,000 vols. Above the book cases hang the portraits of his friends and many distinguished men. A fine bust of his uncle Charles Fox stood on one of the tables. I think Lord Holland resembles his uncle very much in the upper part of his face, he is a very agreeable looking person. Lady H. was somewhat indisposed and did not make her appearance till after breakfast. She is a very talented woman, but I believe incurred some censure by leaving her first husband Sir Godfrey Webster who was much her senior and a crack brained personage. She was the mother of two children by him, and it was said in a fit of despair at her desertion he put an end to his existence. Her maiden name was Vassall, granddaughter to Sir Richard Vassall. I suppose the same stock from which Catherine Vassall is descended. There is less pomp and circumstance attending your entrance to a nobleman's dwelling than of a rich merchant. We had a most delicious meal, but served with but little parade. No meat or relish, as we term it, is introduced upon their breakfast table but cakes of every kind made of the finest wheat with the sweetest of butter and richest cream; fruits, honey and jellies also solicit the appetite. I fear my account falls far short of Captain Hall's in Yankee land, but nevertheless the table wore a most inviting aspect. The weather was damp and showery which prevented us from walking

in the grounds, but we looked from the window upon the majestic trees and neatly shaven lawns that surround the house, some of which were thickly covered with hay cocks, and realized all we had heard of an English country seat. If the weather we have had is any sample of the climate it is a very disagreeable one. In the three weeks we have been here, not more than three days have been without rain, and much of the time so cold that we could have enjoyed a large fire.

LONDON, June 24, 1830.

We went into Westminster Hall and saw the different courts in session; Lord Lyndhurst in his robes of office, and also the judges for life who wear a most singular wig. The lawyers all have powdered wigs, so that you can scarce distinguish youth from age. We dined with Alderman Wood,<sup>1</sup> a very large party and had a very pleasant day, some professional men that were very agreeable.

28th. We have just returned from Oxford charmed with all that we saw of that ancient seat of learning, the buildings grand and venerable in appearance, many of the halls and chapels extremely beautiful. The gardens belonging to the colleges are beautiful and kept in the most perfect order. In the garden of St. John's we saw the young men practising archery, some were very dexterous if not equal to Robin Hood's men. Several parties of ladies were walking to and fro, and altogether it formed a most pretty scene. The day of the commemoration which in some respects resembles our commencement, we went with the multitude to the theatre, a fine edifice well adapted to such purposes. The galleries were well filled with ladies, and the floor somewhat crowded with gentlemen. The Oxonians occupy the upper gallery and are allowed more liberty of expressing their feelings than with us. I never heard anything equal to their shouts of applause when some of the honorary degrees were conferred, particularly Lord Combermere and Mr. Duncan. They also expressed their disapprobation of some of the examiners with the universal hiss that might have issued from the lower regions. The time consumed by the public speakers is much less than with us, or rather there are fewer parts assigned. The costumes of the dignitaries are very showy. The D.D's are black velvet and scarlet, the LL.D's are scarlet and crimson, also the Doctors of Music. The sons of the nobility who have received degrees have gowns of black striped with gold lace, during their collegiate life they are only distinguished by a gold tassel on their caps. Our friend Mr. Vores gave us a handsome dinner, and on the day of the commemoration we lunched with him and a party of friends in the Hall of Wadham College. The Oxonians pride themselves in their skill as rowers, boat racing is one of their diversions. We were rowed about seven

<sup>1</sup> The friend of Queen Caroline against George IV.

miles on the river Isis by Mr. Vores, Mr. Buckle, two sons of Sir Thomas Auckland (most accomplished young men) Mr. Bush and Mr. Jeune. We had a most charming excursion. I certainly have never seen such oarsmen. The English much excel us in all sports. . . . The young men at Oxford strike us, with our frugal habits and ideas of small things, as very extravagant. Indeed the style which prevails there astonishes us, their excellent tables covered with rich plate form a strong contrast to our eating halls at Cambridge. I do not mean to advocate the system of expense, especially for those who are to live in our country, but the impression on a traveller is vastly agreeable. . . . Oxford did seem a sunny spot where one might live forever. Since I returned to London we have not renewed our acquaintance with the gay world, meaning to finish the lions, but the death of the King has for a few days interrupted these plans. This event has been so long anticipated that it is a subject of joy rather than grief that it has taken place, and to no one more than his successor, who was so impatient for his new honors that he reached the palace of St. James long before the Duke of Wellington was ready to meet him, it being a necessary form for the Duke first to pay a visit of condolence in a suit of black, and then like the actor of all work don his regimentals to offer his congratulations to William the Fourth. As the maxim of their constitution is "That the King never dies" the following Sunday heard William our gracious Lord and Sovereign prayed for in all the churches, as if he had been for years seated on the throne. It had a most odd effect upon me, for the criers had hardly ceased proclaiming the lamented death of George the Fourth, and all the churches were hung in black. The new King and Queen found their places in the book of common prayer so easily that I could not forbear smiling. The next day we went to Charing Cross to hear the Heralds proclaim him to the people, but we mistook the hour and were not in season to see anything but the *crowd*. On Sunday we went with Mr. Bevan to Temple Bar to hear Mr. Benson preach, the most distinguished divine of the Episcopal church, but the throng was so great that we did not obtain a very good seat. What I heard of the sermon did not please me very much. Mr. K. intends trying him another Sunday. He is invited to breakfast at the Temple with Mr. Bevan, who is nephew of Capt. Dacres. I was at the House of Commons the other evening, and heard Mr. Brougham spar a little with Sir Robt. Inglis, but independent of this dialogue nothing much worth attending to. Dr. K. the preceding evening at the House of Lords heard all the notable men, the Duke of Wellington, Lord Grey, Duke of Richmond, Lord Holland, etc. Mrs. Dr. Gardiner and myself have been hoping to get a permit for the House of Lords; though the accommodations for ladies are bad, it would be a gratification of our curiosity to take a peep

at the great men. We dined with Sir Francis Burdett a few days since. He is very rich but does not live in so splendid a style as many others. His house is a charming one, the drawing rooms opening onto St. James Park and commanding a view of the new palace. Lady Burdett is a great invalid and did not make her appearance until after the dinner. Two of his daughters were at table, pleasing, unpretentious women. One or two of the gentlemen of our party had been with the King in the morning, which gave rise to considerable conversation concerning His Majesty, and also the Queen's Drawing Room and Maids of Honor. We left Sir Francis before the party broke up, to go to Mr. McLane's who receives the Americans once a week, and where we usually pass our time most agreeably. Mr. McLane and his family are deservedly popular here. I have met Miss Caton there, but the Marchioness of Wellesley is in such delicate health that she has not left her room for several months. Miss Caton is considered a very fine woman. Washington Irving is a great admirer of her. There is nothing in her manner or dress to object to. She has but little pretension to beauty in my opinion, but is rather a fine commanding looking woman. We shall follow the fashionables in quitting town next week, Parliament will be dissolved and persons of our notoriety could not think of remaining after that event.

CHEPSTOW, July 27, 1830.

Mr. Richard Bright to whom we had a letter from Mr. Vaughan was staying at Little Malvern where he owns considerable property, and two of his married children at lodges belonging to him. All the family were engaged to meet at Brand Lodge, occupied by his son, for a social tea drinking, to which they invited us. They received us with so much cordiality and hospitality that we felt quite at home in their family circle. The son is a man of uncommon intellect, a rapid mind and very lively withal. The daughters are well informed and unaffected, and the father 71 years of age is in perfect health, active, vivacious, entering into all the feelings of his children, and apparently deriving much pleasure from them. Mr. Bright's usual place of residence is Ham Green, 7 miles from Bristol, and spoken of by Simond in his travels through England. Mr. B. is a Unitarian and perhaps his heart yearns with more kindness to those of the same faith. . . . We spent an evening with Mr. Van Wart, whose wife is the sister of Washington Irving. They live about 2 miles from the centre of the city, a nice house with pleasant walks around it. Their eldest son is now gone to Paris to be married to the eldest Miss Storrow. From present appearances she will be delightfully settled in a neat house close to her father in law's. Mr. Van Wart seems prosperous and has a charming family. The late disturbances in France

have given them some anxiety, but since the appointment of the Duke of Orleans as Lieut. Gen. and Lafayette Commander of the National Guard a speedy restoration of peace and order is anticipated. It is astonishing the enthusiasm that prevails here for Lafayette, one gentleman seemed almost inclined to worship me, because I had so recently come from the Marquis's presence. It does appear passing strange at his time of life again to don the military garb, and take a part of so much danger. However the spirit of the people generally is much more with him than we had imagined.

LIVERPOOL, Aug. 23, 1830.

We spent half an hour with old Mr. Roscoe,<sup>1</sup> whose mental powers are still vigorous, though his body seems tottering. He has recently had a stroke of paralysis, but it seems to have affected him but little. He has written poetry since then, some of which he made his son read to us. In his study he is surrounded with the heads of the ancients, many of them contemporary with or connected with Lorenzo de' Medici. Mr. Roscoe is a tall man with an open commanding countenance. He was so kind as to offer us a letter to Mr. Coke of Norfolk, which we were glad to accept having a curiosity to see his establishment. . . . We went the other evening to see Miss Fanny Kemble in "Mrs. Beverly." It was not the play I should have preferred, but it was the only night our other engagements permitted. I was more pleased with her than I had expected to be. She has no personal attraction, rather undersized, and not a countenance of much expression, yet with all these disadvantages she is a promising actress; in many parts of the play I thought her excellent. Her father Charles Kemble played Beverly and Stukely was by Vandenhoff. It was remarkably well filled. Even Lewson and Charlotte were respectable. We were prevailed to stay a little longer than we intended in order to go in the locomotive engine on the railway. It is a delightful mode of travelling, the rapidity of the motion is very exhilarating. We went a part of the way at the rate of 30 miles an hour. Notwithstanding it has been so often seen yet every time they start a great concourse assembles to see them, and for miles the road is almost lined with people shouting and huzzaing. It is quite exciting; Dr. K. caught so much of the spirit, that he was flourishing his hat and playing the boy more than he has done for many years. Our stay in Liverpool has been rendered very pleasant by the kindness and hospitality of its inhabitants. The Unitarians are a pretty numerous and agreeable society. They associate very much with each other. The Roscoe family in all its different branches are pleasing, and remarkable united and harmonious among themselves. The Yates are a large and opulent family, living about two miles from the town, their 4

<sup>1</sup> Author of the *Life of Lorenzo de' Medici*.



houses are contiguous, the grounds opening into each other, beautifully situated on the banks of the Mersey. Mrs. J. Yates, who has been on the Continent, has a great many fine paintings and also a very expensive library, some ancient books. A part of their grounds are called the dingles and are open to the public twice a week.

Great preparations are making here for the opening of the railway which takes place the 15th of next month. The Duke of Wellington is to be here, and the carriage they are constructing for him resembles a tent. It is to be elevated above the rest, so that His Grace may be conspicuous. Above 5 guineas has already been offered for seats on that occasion. I do not know how soon we may think of introducing this invention in our country. This one, which extends only to Manchester, will cost a million. The shares however are not only in demand but are sold for nearly 100 per cent in advance. But the monied men think this more than they are worth. . . . Among the literary productions of America which have found their way across the Atlantic is our cousin Follen's <sup>1</sup> *Well Spent Hour* and *Christian Teachers Manual*. I am frequently asked if I know her and if she did not marry a young German. She seems to be considered one of the lights of the New World, associated with Dr. Channing and Mr. Ware. They have not the most extensive knowledge of our literary circle. Dr. C. is a great favorite with some of them, and Mr. W. seems to be second, but Walsh, Webster, and innumerable others do not appear to be known.

DUBLIN, August 31, 1830.

After Chester we took the coach to Llangollen, the latter part of the way the scenery is very beautiful. After dining we went to visit Miss Pousonby's cottage. It is in a retired romantic spot. The front of the house is decorated with carved oak, nicely polished, reminding you of the olden time; upon applying to see the grounds, we were told Miss P. was not within but was momentarily expected. We soon descried a female and an elderly priest, as we supposed, and taking it for granted that the female was Miss P. directed our attention principally to her, but upon her nearer approach were astonished at her youthful appearance. They both entered the house and the gardener immediately came forward to show us the grounds. Dr. K. asked who was the old gentleman with Miss P. and found to his amazement it was herself, and that the young woman was her servant. When we got back to the inn we mentioned the circumstance to the landlord, who told us that we were not the first persons that had made that mistake, that when Lady Eleanor <sup>2</sup> was alive and they were met in the carriage going out to dinner they were taken for old priests not infrequently. They wore their gray hair short and powdered, with a round beaver hat (a man's hat), habit

<sup>1</sup> Mrs. Charles Follen was Eliza Lee Cabot, daughter of Samuel Cabot.

<sup>2</sup> Lady Eleanor Butler.

skirts; and Miss P. is tall and masculine in her looks, stout and somewhat disdaining the use of corsets, she stoops, or is bent by age. She carries her hands behind her, which tends to make her costume resemble a priestly garb. Everything about her domain, came up to my ideas of her residence, but the inmate was of a very different character. One would imagine them to be highly educated for in the little moss grottos you find books in all languages.

Unitarians are not numerous here, but some of them have made costly sacrifices to their principles, especially Dr. Stokes who was a fellow and professor in Trinity College. He gave up 1200 a year and 10,000 pounds property, rather than worship contrary to the dictates of his own mind. It was a severe thing for his wife, who does not agree with him in opinion, for they have ten children and could ill afford such a reduction of their income. She however has behaved very well, and she is an exceedingly intelligent, well informed, indeed I may say, deeply read woman. They were very attentive to us; he devoted his time to showing us things worthy of note, regretted that his circumstances did not permit him to have dinner company, but we passed an evening with him most agreeably. The brethren of our own faith have been unbounded in their kindness. Mr. Martineau,<sup>1</sup> who is the youngest clergyman, is a fine preacher, but like too many of the choice spirits delicate in his health. We dined with him in company with all the clergymen and their wives of our persuasion. He married the daughter of Mr. Higginson of Derby. We have spent an evening with Lady Morgan *en famille*, she is quite amusing, though full of affectation and conceit. She resembles Queen Elizabeth in her desire of being thought to possess personal charms, and it is even more extraordinary in her, as she is utterly devoid of any pretensions to good looks. I am told that the eye I thought bleared is a glass one. She is quite lop sided, and rouges brick color. They call her 60 years of age, yet you cannot imagine how many youthful airs she displays, throwing herself back in her chair and pulling off her cap and showing her little black cropped wig, putting her feet on the fender so as to expose what she thinks a pretty foot and leg, the latter however somewhat too short for my ideas of beauty, for you are not left in ignorance of its exact dimensions. She calls Sir Charles, "Morgan," and says that dear excellent creature copies for her, or she does not know how she should get along, for she has almost written her eyes out. She speaks of her old books and loves as "quite a quiz you know; I was a very romantic girl, and had a great many lovers and when one meets them now they seem so changed you cannot realize that you ever regarded them with complacency." She has no less than 5 pictures of herself in her parlor and boudoir, some of them clothed with as thin drapery "as the impal-

<sup>1</sup> James Martineau.

pable form of Lady Glorvina." She observed that it was really ridiculous to have so many portraits of herself but that it cost her nothing, for that the different artists of her acquaintance wished her to sit to them, and they always presented her with a copy of the original. She has a large collection of paintings and antiques many of them the trophies of her continental tour. She has a beautiful painting of the famous Ninon; she said to me, if she has faults, look in her face and you will forget them all. She has a very small likeness of Swift, nicely executed, which was worn by Stella in a ring and innumerable other curiosities. But it is time to have done with her nonsense and turn to a more interesting person, Miss Edgeworth. We were so fortunate as to find her staying with her aunt within a mile or two of Dublin, which rendered a journey to Edgeworthstown unnecessary. She has usually been described as very plain and masculine in her appearance. She did not strike us in this way, we thought her as good looking as persons in general of her age, and very pleasing and simple in her manners. She converses with much fluency; the French Revolution is a topic of great interest here; she speculated principally upon that. She was kind enough to urge us to visit Edgeworthstown, thinking her brother's school an object deserving Mr. K's attention, but we felt that having seen her it was hardly worth the time it would take. It is possible we may meet her again in London, for she is writing another novel and intends spending the next winter in London for the purpose of publishing it.

[From Dr. Kirkland.]

GLASGOW, October 12, 1830.

Since I wrote you last the revolution in France has taken place and marvellous to tell seems marked with moderation. It was unsuspected, I believe, even by themselves in general, and it was at first supposed the people would submit. No violence has yet been committed in France since the first resistance though critical questions and troublesome affairs have been agitated and discussed. They have voted to accuse of treason the ministers, who will be tried by the President, but it is thought though guilty they will not suffer death but exile. At present the English Government though piqued does not intend to interfere and Miss Edgeworth informed us that the Duke of Wellington said when the dynasty was changed, "he did not care a damn how they settled it." The insurrection in Belgium is a new cause of mischief and a derangement it may be to the plans of the Allies. Yesterday was the installation of the Lord Rector in the University and College of Glasgow, the Marquis of Lansdowne. He is chosen every two years by the faculty and students at a joint meeting, when the faculty are commonly thwarted by the students, who run some brilliant man of the people. Thus they have chosen Sir J. Mackintosh, Thomas Camp-

bell, Jeffrey and Brougham for the last 8 years. They elected Sir Walter Scott by a majority of one, but he would not accept. We marched into the college hall preceded by the mace bearer, the Principal, the Marquis and the professors and invited guests, when after a short Latin prayer by the Principal, and the administration of the oath of office, the Marquis made a short and becoming speech, introducing the late events in France, as illustrating the benefits of knowledge among the people. The students and those present expressed by clapping, stamping and huzzaing their applause. But party topics were not the topic of the speech, and the Radicals, it is said, were disappointed. At five we dined, Principal McFarlane presiding, assisted by Mr. Sanford, a young and very accomplished Oxonian, son of a bishop, Professor of Greek and Vice President. The Principal after the King, Queen, etc., toasted public bodies or individuals with a suitable speech, he gave the Universities of Oxford and Cambridge, and then spoke of our country, its claims on their respect, sympathy and good will, introduced me to the company as a representative of her literature and science, and gave Dr. Kirkland and Harvard University. I of course replied, stating the great pleasure I had in paying my first visit to that distinguished seat of learning and improvement and being present on that interesting ceremonial, and expressed the gratification I felt at the sentiments uttered by the noble lord rector congenial to the place and occasion and worth the consideration of those entrusted with the formation of minds and character. I spoke of the age and services of our institution and the more or less perfect means of liberal education diffused in our land. I mentioned our familiar acquaintance with the merits of many of the professors of Glasgow, their ability, originality and usefulness as instructors and authors, averring that in devising and executing plans for our institution we were often incited and assisted by the lights they had furnished and the examples they had set. I proposed "The continued prosperity of the University of Glasgow." Mr. Sanford proposed a Lady on whom he pronounced a glowing and beautiful eulogy, the ornament of her sex, the pride of her husband, moving in the circles of fashion yet receiving her guests without the severity of etiquette, the Marchioness of Lansdowne.

[From Mrs. Kirkland.]

EDINBURGH, Dec. 15th, 1830.

We have been here long enough to form some idea of the society. At Mr. Jeffrey's we met the élite, the Murrays, Rutherfords, Cockburn (pronounced Coburn) but, like most persons of this description, they are a little too well pleased with themselves and their own coterie to be quite as agreeable to strangers as those who occupy a less prominent place. Mrs. Gordon is a sister of Mrs. Rutherford and is free from

any peculiarity that marks this circle. She is a very prepossessing charming woman. I believe they are all persons esteemed for their private character as well as attainments, but they have somewhat supercilious manners, accustomed to give the tone to society. They may properly be called the exclusives, for they do not visit except among themselves. This city has probably furnished the most able men and the best writers of any in the world, but they are not generally as pleasing in their manners as the English. Dr. Thompson the surgeon and his family we find most excellent friends. They live within a few doors of us, we were introduced to them by Prof. Myne and they have been very attentive to us. We have dined with them twice, and she has taken us in her carriage to an evening party, and called on us repeatedly so that we feel quite intimate there. They have only one daughter who unfortunately is lame, but a very fine girl. Her father had her educated the same as his son. She is conversant with Greek, Latin, and mathematics, but entirely free from pedantry and affectation. She talks uncommonly well but with perfect simplicity. The women here are certainly conspicuous for their talents. Many of them are writers of good novels. The author of Dunallan lives here. Mrs. Brenton, who wrote *Discipline and Self Control*, was a resident here. She is now dead; I have met her husband once. I do not mean to detract from Mrs. Grant,<sup>1</sup> she is a very interesting person, but it seems to me that there are many persons who rank above her as writers. I came near encountering Miss Ferrier at Mrs. Fletcher's the other morning. She had been spending a couple of hours there. Mrs. Fletcher is a very captivating woman. She is English by birth, but early in life married Mr. Fletcher, an advocate in this place, 20 years her senior with whom she lived 40 years, ever entertaining for him the highest respect. She has been a widow scarcely two years. She has several children remarkable for their beauty and cleverness. One of her daughters is married to a brother of Sir Humphry Davy, and one of her sons, who is very fair as an advocate, to a niece of the Duke of Argyle. Another son, educated for the law, has become a sculptor from preference. He has met with considerable success, and is a great favorite with Sir Robt. Liston, who will not permit him to absent himself from Milbourn except when he is at his studio. Sir Robert lives at his country seat all the year. It is six miles from Edinburgh. He is a most remarkable man for his age, now in his 89th year retaining all his faculties, even grace and urbanity of manner. He was formerly minister to the U. S. A., but it is 30 years since he left America. He remembered having dined with my father at Brookline and asked me about Col. Pickering, but had not heard of his death. He called to see us, and said as travellers we must visit his cottage. We have not been yet

<sup>1</sup> Mrs. Grant of Laggan.

as we shall wait for him to appoint some day. ' He has lost his wife but an elderly female friend lives with him. Mrs. Hemans passed a month with him before we arrived in Edinburgh. We have been following this great lady's track, but have not met her; she has usually preceded us. I saw her bust which she sat for while here, she is dressed quite like a miss and it must appear younger than the original. From what I hear of this personage, she is anything but what you would suppose from her writings, fashionable, pleased with homage, etc. I understand Mrs. Grant said to her "My dear, you are standing on the edge of a precipice, beware," alluding to the flattery and adulation she was receiving from the literary men, but which (perhaps it was calumny) it was thought she was nothing loth to receive. It might be that Mrs. G. felt that the young crowded the old too much. At any rate we may feel sure that she does not require so much of our sympathy as we have been led to suppose. At Mrs. McKay's the other evening we met a singular genius in Mr. Erskine who is uncle to the present Earl of Mar, one of the oldest titles in Scotland. It was revived by George the Fourth during his visit to this country. This gentleman was born blind and is hunchbacked, but he seems to have Richard's success in wooing the fair lady by whom he has 7 children, all I believe like other people. Mr. E. is very musical, composes and plays by ear, sings lively and humorous songs, and is altogether as gay a little man as you ever saw. We had also young McKenzie, son of Sir George who wrote travels in Scotland. He has a great genius for music with a fine voice. At Mr. Thompson's a few nights since we saw more of the dignitaries, Lord Corehouse who was Mr. Cranstoun the advocate, an eminent man, Hon. Mount Stewart Elphinstone who was Governor of Bombay and has written a great deal concerning India. Mrs. something who was Lady Hogg, Mr. Grahame the expectant of a title, and several others of note. Mr. T. has a beautiful house, a splendid library with a fine painting of Addison, and a marble bust of Sir Walter, besides innumerable good casts of ancient statues. You are rarely asked to tea here. The evening parties are almost all suppers. The change of the Ministry gives great satisfaction in this circle, all of whom are Whigs. There was a meeting yesterday of those in favor of Parliamentary reform. Dr. K. thought Mr. Murray spoke very well. Jeffrey, who has consented to be Lord Advocate, did not attend the meeting. It is expected that his first speech in the House of Commons will be on this subject. His wife does not like the idea of going to London, she is so fond of Edinburgh. It is not probable that they will be of so much consequence there; he may be said to be king here. My husband thinks the new ministry will be puzzled how to introduce as much reform as will satisfy the people, having the powerful aristocracy of the country to contend with, and yet if reform is not carried many sober

judges think there will be civil war. The disturbances in many districts have been quite frightful and if they are not stayed before our return to London will render travelling disagreeable. The coaches in various directions have been stopped and money extracted from the passengers though in no instance has any personal violence been offered. I suppose no one would be so foolish as to offer resistance to 100 grim visages. I should be a little flustered to be surrounded, even without serious cause of fear. Perhaps the accounts we get are exaggerated and it is certain the discontents are not universal, because the north of England is perfectly quiet, and yet I cannot but think there is some danger the reformers will produce a greater evil than they remedy. The weather for the last ten days has been very bad and I have had one of my worst colds, which led Dr. K. to think of decamping, as this is considered the most consumptive spot on the globe, but I am getting the better of it and shall go out the first good day. Before I got my cold we walked around Salisbury Crag, a remarkable rock, from which you have the finest prospect, near to which old Davy Deans the cow feeder lived. Just below the crag is a ruin which was the place appointed for Jeanie's midnight meeting with Effie's lover, and above, she held friendly conference with faithful Reuben Butler. We shall avail ourselves of the first good weather to see the remaining lions, for in all probability we shall leave here soon after the middle of Jan. for London. Dr. K. is desirous to watch the doings of the new ministry. Mrs. Grant is a high Tory; she could almost clothe herself in sack cloth at the removal of her party. We breakfasted with her one morning and she expressed herself so strongly, that her son told her she might be accused of treason. To which she replied an old woman could not do them much harm. She talked all the time, but was not garrulous of herself but of persons and things that were interesting. She expressed great regret at hearing of the death of Edward Lowell. She had heard from Miss Jackson of his illness, but not of the issue till she learned it from me. We have fallen in with an American family Mr. Campbell Stewart, wife, and children. He came here to recover an estate in which he has succeeded to the amount of 30,000 pounds. He was a professor in Williamsburg College, and his wife was a daughter of one of my father's old colleagues. They introduced themselves to us, and we find them very agreeable and convenient acquaintances. He is a cousin of Thomas Campbell, the poet. They are pleased with Scotland and had some idea of residing here, but on the whole they have concluded to return to America. . . . With many the Edinburgh [women] have great reputation for beauty, and perhaps it is true taken en masse, but you meet some queer figures in society. Miss Wilson, whose brother holds the chair for Moral Philosophy, is of this description, one of the fattest faces sufficiently ruddy, ornamented with a great quantity of English

ringlets of flaxen hue. She is one of their clever women. It ill became Capt. Hall, whose family live here, to speak of the Americans as so much in love with their own territory; they can hardly hope to rival the Edinburghers in this respect.

EDINBURGH, Dec. 26th, 1880.

We are passing most of our time in society, and keeping later hours than is conducive to health, but as it is probable that we shall not see this part of the world again we were desirous to see men and manners as often as we have opportunity. We have lost the society of Mrs. Fletcher, one of the most agreeable persons we have seen; she has gone to England. The last evening we were at her house we met Miss Walker, the author of *Rich and Poor*, not a very good novel, though she is a very clever woman. She is very musical, but has a peculiar voice, so like a man's that you would find it difficult to realize that it is not. Among the amusements of the evening were tableaux. I do not know whether you have introduced this species of entertainment into America. It must be in a room with folding doors. You have a picture frame hung in the door way with a screen to conceal all but the frame, then the room in which the company is in is darkened, and a person dressed in the costume of whatever painting you wish to represent mounts to the frame and a shaded lamp is held before the picture so as to cast a proper light upon it. The delusion is often so complete that you would believe it to be a Sibyl, Magdalen or what not. Miss Fletcher made an excellent Cardinal Bentivoglio. Finding it difficult to get a Rembrandt Mr. K. was induced to try. He made an admirable old man reading his book, but forgetting that he was not as agile as formerly in mounting a ticklish scaffolding, with his hands engaged with his book, he tumbled to the floor with a tremendous crash, producing dismay and uproar among the spectators. They soon came running to me; Dr. K. is not hurt, I told them; I had had more concern for the machinery than for him, as he always has the good fortune to come off unharmed. However it was mere noise, no injury was done to anything. At the next music party we were at we met Miss Shilka the sister of Mrs. Richardson, she enquired if I knew her. Fortunately Mr. K. did, though I did not. We had some Italian recitations the same evening. The ladies here are so much educated that they understand discourses in all languages. I was amused by an occurrence aboard the steamboat; a nice looking little girl was asked by a lady what classes she was attending, whether she was learning French; she said, no, she was studying Latin under her brother's tutor, that her father thought she had better not take up the modern languages yet. A few moments after this conversation the party were eating some biscuits and offered her one, upon which she exclaimed, "Oh these were baked at our shop."



She proved to be the daughter of Littlejohn, the famous baker of cakes and shortbread. He is so much in vogue that he is making a fortune, but his wife and daughter still stand behind the counter. We passed a pleasant day with Sir Robert Liston, the weather was clear and as cold as any we have previous to Christmas, but the old gentleman appeared to mind it as little as Mr. K. or myself. He walked nearly two hours showing us his place and contemplated improvement. He has purchased a village, and is engaged in repairing and putting up new cottages, which are to be appropriated to the benevolent use of decayed gentlewomen, particularly maidens. What struck me most was to see a person just entering upon his 90th year so occupied with plans for the future. He had just been attending the funeral of a female who had reached the age of 100, and feels I suppose as if the next ten years are to be his for work. He has lived 50 years on this spot, but it was not an hereditary estate. He retains the thatched cottage which he and Lady Liston inhabited for many a day, but has built a new house rather in front but connected with it by a covered passage. The drawing room and dining room in the new house are very handsome. The former has the same furniture that he used when Ambassador to Constantinople. In the dining room is a portrait of himself and wife taken by Stuart at Philadelphia. His manners are very simple and attractive, but he retains in the arrangement of his table the style of the minister. His butler is a tall elegant looking personage that might be taken for an M.P. We had the most delicious mutton of his own raising and fine cream and butter from his dairy. We had a good deal of antique china, which is considered so precious in the old world, and at tea the gold urn and tea spoons. In one room they have the furniture they used in America. His wife was fond of the plants of our country and they have a large piece of ground enclosed which they call the American plantation, and in which no other green thing is allowed to show its head. He seems to take pleasure in preserving mementoes of the different countries and courts in which he resided. In a description of his place I ought not to omit the dwelling of the pigs, styled by some visitors the pig's palace. I learned from Sir Robert that they were a very cleanly animal, a circumstance I was unaware of. He says that if you will allow them straw enough they will keep their bed perfectly clean and dry. Their accommodations are built with nice hammered stone, lighted from the roof and altogether superior to what the swinish multitude are accustomed to. As accident, or some other cause, usually brings us into several circles we have opportunity of observing the different modes and manners which characterize them. We dined last week with Mr. Brown, who is a very rich man but not moving among the first people. It was a very large party and a pleasant one though not an individual that we had seen before.

We had dancing and music in the evening, stayed to supper and hot toddy and returned home between 12 and 1 o'clock. As all classes here except the most indigent are uncommonly well informed, the second and third circle are as agreeable associates and in some instances more so than the first. They are generally more frank and cordial but there is a stiffness and reserve in the manners of many of the Scots, and with but few exceptions a want of polish. Curiosity always leads one to wish to see the distinguished, but they are not always the most desirable members of society.

LONDON, April 18th, 1831.

We have been passing a day or two at Mr. Coke's,<sup>1</sup> Holkham House. It exceeds in magnificence anything we have seen. It is a perfect palace and I could not help smiling when I was ushered into our apartments. The dressing room appropriated to Mr. K. was about the size of your front parlor. 20 feet high, gilt ceiling, Gobelin hangings, the walls covered with valuable paintings, and an immense fire in the bright polished grate, with baths, bowls, cups and every convenience and refinement of luxury for the toilet. Mine was of correspondent splendor with large wax lights before the dressing glass to reflect the fair image (if perchance it were a fair one) or at any rate to display to the highest advantage the perfection or imperfection of the figure. Lady Ann, Mr. Coke's present wife is daughter to the Earl of Albemarle and is 50 years younger than her husband. Extreme as is this disparity there is yet great appearance of happiness. She is very attentive to him, but more like the reverence and affection of a child for a parent than usually subsists in the conjugal relation. He is a very fine looking benevolent old gentleman of 77. By Lady Ann he is the father of 4 nice boys, the youngest only two and one half years old, the prettiest creature I almost ever saw. By his first wife he had only daughters, Lady Anson, Lady Andover, and Mrs. Stanhope, so that the change of sex by his last marriage is particularly agreeable. It is most natural that with English ideas he should desire a son to inherit his princely mansion which was built by the Earl of Leicester and has been in the family for many generations. Palladio was one of the architects consulted in the erection of this building, and it has more resemblance to an Italian palace than any I have seen in England. Their chief resort of company is during the shooting season and the winter months, when I was told not a nook in the house was unoccupied. From what I saw I should judge their establishment to consist of from 20 to 30 servants, but most of their guests take one with them so that when the house is full their numbers are doubled. Everything is raised and made within themselves. All the bread is made in the house from their own wheat and is most delicious, and of every variety. They have 30 cows of the

<sup>1</sup> "Coke of Norfolk," afterwards Earl of Leicester.

finest breed, and the butter and milk are equally nice. The beef and mutton are far superior to anything I ever tasted bearing that name, indeed everything in the eating line was so luxurious that the most fastidious gourmand could not find anything to vent his ill digestion on. It was during the recess of Parliament (the Easter holidays) that Mr. C. was so kind as to invite us to his house. We had a letter of introduction to him from Mr. Roscoe, of whom he is very fond, and it procured us most civil attentions. Lady Ann is a sprightly, unaffected woman, not helpless and indolent, but active and efficient. There was not much company, but enough to give one an idea of the manners which prevail in these great houses and which the novelist often hits off. We had one of the dignitaries of the Church, Archdeacon Glover and another clerical gentleman, an old Admiral, a bachelor beau, Lady Maria Keppel and her husband, Mr. K. and myself, with the chaplain, tutor and family were all our party. There is such a degree of independence as seems to us to border on rudeness. On entering the breakfast room they bid the fair hostess good morrow, and with scarce any notice of anyone else commence their attack on the delicacies of the table; "hand me the plover eggs"; "Faber, give me some coffee"; or else they proceed to the side table where the meat usually is placed and carve for themselves the dainty bits of pheasant or whatever may happen to please their palate. This sort of manners struck me as being carried further than consists with true politeness, but it is the fashion in the higher circles. On our way to Holkham we went to the Epping Hunt. A stag was let out about one o'clock and we saw the hounds and the huntsmen coursing their way over dingle and brake until they were lost in the forest when we returned to Woodford.

LONDON, May 12th, 1831.

You will perhaps be surprised to hear that having made up our minds to return this autumn, we should have been persuaded to alter them and protract our absence another year. We had a very tempting proposal from Lady Franklin to accompany her to Spain and Greece, it may be Egypt and Syria. She is going out to her husband Sir John who is cruising among the Ionian Islands. She is not yet informed at which port he is to make his winter quarters. As the rules of the Admiralty do not permit of her being with him on board his ship, her only chance of seeing him, is to remain a month or two at whatever port he winters at, and she thinks it possible he may frank us to some of the places we may wish to visit. At any rate we could not fail to derive an advantage from the presence of his ship, as there would be medical assistance in case of illness, food if necessary, articles of furniture if so situated as not to be able to procure them otherwise. She was very urgent for us to join her, and expressed a desire to

accommodate herself to our views as far as would consist with her main object, that of seeing her husband. Our knowledge of her of course cannot be very intimate, but as far as we have seen she has the appearance of great sweetness of temper, of having been remarkably educated, and of natural cleverness. She has a fine countenance and very graceful manners. She has travelled a great deal already, been in some parts of Spain, Russia and France, and well qualified therefore to direct our expedition. Our plan will be to leave here about the first of August in the steam packet from Falmouth to Gibraltar and Cadiz. We shall be left here for a month, which time we shall occupy in visiting 3 or 4 of the most beautiful cities which lie between the sea and the mountains; as Seville, Cordova and Grenada. In Sept. we shall again have recourse to the steamer to convey us to Corfu or Malta, where we first expect to meet Sir John, and be guided somewhat by him in our future arrangements. We do not contemplate being long in Greece, just look at Athens, Corinth, the Plains of Marathon, etc., then go to Turkey, Constantinople, then perhaps Egypt, Grand Cairo, the Pyramids, etc. In the spring or the beginning of summer come through the Pyrenees to France and in the autumn, God willing, to America. This is an undertaking of more hazard than any we have been exposed to. But I believe with proper care nothing need be apprehended. In case of a rising or disturbance in any of these places Sir John's ship would afford a refuge, and should the plague prevail we should take care not to land, so that for myself I have no fear. . . . I shall send you a little work of Mr. Garrie's respecting the early history of the Russian or Muscovy Company which contains some particulars of our ancestor, Sebastian Cabot. I went to see the portrait of him belonging to Mr. Biddle. It was taken when he was advanced in life and the painting is somewhat faded by time. It is an agreeable countenance and has our family look, not handsome like my father, but still looking like him. A very singular circumstance occurred when I paid my respects to him and corroborative of my opinion. As I was going into Mr. Collins's room where the picture remained after it was cleaned, I met Lord Strathaven whom I had never seen before. After his observing me a moment he followed Mr. C. down the stairs, saying to him that he was sure that I was a descendant of S. C. from my resemblance to him. Now this was a perfectly disinterested opinion, for I was not known at the time to any one in the room. I had rode down with Mrs. Bates in her carriage. Dr. K. was with us, we were engaged to dine out, and had taken that in on our way, so that I had nothing but a cap on. It was not till several days after that I heard of the anecdote, a gentleman where I was visiting said, Mrs. K. did you know that Lord S. said that he was sure the moment he saw you that you were a descendant of S. C.

Mr. Biddle also heard the same story from Mr. Collins, so that I think the point is proved that we look like the great man or he like us. The print that Mrs. Derby brought home some time since does not resemble the painting. That if I recollect right was a horrid ugly thing. This is a very respectable face, perhaps the nose is a little too broad at the bottom, but notwithstanding this slight blemish there is something so venerable and dignified, that you cannot fail to be pleased.

LONDON, June 27th, 1831.

As the King convened Parliament in person I availed myself of the kindness of Lord Holland in furnishing me with a ticket of admission to the House of Peers and went to see the show. It was a magnificent display of wealth and beauty. I was fortunately situated near the Foreign Ambassadors, which enabled me to hold some converse with Washington Irving who told me that it was the greatest scene of the kind he had ever witnessed. It was reported the Queen was to be present (a thing unusual on these occasions) which increased the desire of many persons to attend. The rumor was however unfounded. Then the question of reform is one of considerable excitement, so that altogether the pressure for seats was very unusual, and Dr. K. was not lucky enough to obtain one. I was very near to the King so that I saw him as plainly as I should one of you in your parlor if I were there. He is a very common looking person, and his speech was just nothing. A good deal of the mummery about his entrance, his train bearers and ermine robes, etc., reminded me of the old Pope at Rome. The Dukes of Sussex, Cumberland, Richmond, Northumberland, and other noble personages were pointed out to me. Lord Frederick Fitzclarence was one of the handsomest young men I saw. I was within 2 or 3 of old Prince Talleyrand, who is a curious specimen of French antique. But the most striking part of the spectacle my husband had the opportunity of witnessing; which was the beautiful peeresses of England in their court paraphernalia. The observation frequently made that the beauty of this great nation is chiefly to be found in the higher classes of society, was completely verified on this occasion, for I have not seen so much in all my sojourn here as on this day. But though I was gratified with seeing an exhibition of this sort, yet I would not a second time encounter the fatigue, heat, crowd and trouble of getting your carriage incident to such a situation. The following morning we went to Chiswick to the horticultural fete. The weather was very propitious and we enjoyed the day very much. There were assembled in the gardens 5,000 persons or upwards, all in full dress, and as the tickets are a guinea for each person and you are obliged to produce vouchers or recommendations from some member of the Horticultural Society the company is highly respectable. At half past three the dinner tables were opened and remained so till half past

six. They were spread in tents with a boarded platform on which to stand, and the roof was covered with plaited cambric after the manner of some of the ladies' boudoirs in imitation of the Eastern style of decoration. At half past four the fruit which was arranged in similar tents was cut up for distribution, and those lucky wights who were near the door at the time of its opening rushed to the contest and were successful in carrying off all the peaches, nectarines, and pines that were on the table, these being considered great delicacies. There then remained for those who came after abundance of grapes, melons, cherries, strawberries, raspberries, etc. At half past six the coffee and tea rooms were opened, also tents for ices and lemonade. The refreshments were provided by Gunter, the most noted man in London of his occupation. He has made his fortune and has his villa in Kensington, and lives in great style.

We have not been to hear Paganini, the great violinist performer. The opera is such an expensive amusement that we indulge in it but rarely, and our scientific taste for music is so small that we felt in this case we should not have our money's worth. The accounts you get in some novels of the opera house and its inmates are most truly described, especially if you go of a Saturday night, which is the evening for nobility and fashionables. You may there see the Reverend Mr. Fitzclarence, son of the King, smuggling in one or two male companions whom he amuses with low stories, then some duchesses and ladies of rank coming in at the last act of an affecting tragedy, drawing their screens so as partly to conceal them, annoying their humbler neighbors with their loquacity and noise. Then too the exquisites abound, espying the belles with their quiz glasses, and expressing to the life their nonchalance and ennui. So that one or two visits to the opera were quite desirable as conveying some idea of the manners of high life. Dr. K. was at a great dinner in the city in the course of the last week, the worshipful company of goldsmiths, an ancient institution got up originally for the benefit of the trade. But they have accumulated large funds and do service to mankind by dining together on a most luxurious dinner 8 times a year. They are composed principally of the Tory party, and their toasts consisted chiefly of the Royal Family, the Duke of Wellington, and such persons, who were cheered with 3 times 3 resounding through the immense hall. Huzza, Huzza, Huzza. Between the toasts were glees and songs, many of them such as were sung in olden times; Mr. Bellamy or Mr. Bellingham a noted singer was one of the vocalists, and though 70 years of age or upward, Mr. Kirkland thought his voice unimpaired.

TETUAN, Sept. 19, 1831.

We quitted Lisbon without any obstacle offered to our intention notwithstanding the disturbed state of the country, and embarked in

our yacht with a fair wind, and in less than 3 days arrived at Algeciras. . . . Algeciras is prettily situated opposite to Gibraltar, about 2 hours row across the bay. I did not go to Gibraltar as Mr. K. was unable to, and as we shall spend a few days there previous to sailing for Malta. In the 3 days we left Algeciras in one of the ferry boats, and crossed to Tangier, with a fair wind, usually a 6 hour passage, but we did not arrive under 9 hours, and the gates of the town being closed at 7 in the evening we were obliged to remain in the boat all night, but early the next morning the British Vice-Consul accompanied by one of the Governor's soldiers made their appearance on the beach and conducted us into the town, and to our inn, which was a neat comfortable dwelling. Our table was supplied with capons, pigeons and other delicacies. Tangier is one of the most curious, novel and interesting places for the moment that I have seen. We were fortunate in being there of a Sunday, which is the great market day, and gave us an opportunity of seeing greater numbers of Moors with their camels laden with produce and many other curiosities, which we could not have seen so well on any other day. Among other things we had a view of the box or cage in which the Moor carries home his bride. Most of the Moorish women are said to be ugly. I saw one or two exceptions, judging from their eyes, to this rule. The haick covers all the face but the eyes; one wonders how they breathe. When they are travelling they wear large straw hats made with low crowns and broad brims, and worn like a man's hat without strings. Our present Consul at Tangier is Mr. Porter, a nephew of Commodore P., an obliging pleasant young man. A son and daughter of our former Consul Malowney are still there they were very kind to us in going about with us, and giving us a good deal of their society. We took tea with Mr. Hay, who is the English consul, who has a charming family consisting of a wife and 8 children. After passing 24 hours at Tangier we engaged mules to take us to Tetuan. We were escorted by a soldier furnished us by the Governor, called Mahomet, a most noble looking fellow, with a face and air that would have reflected a lustre even on the proud throne of England. We also had Abdallah, the soldier of the house where we lodged, a very clever person, and seven other inferior attendants. We rode 40 miles stopping only once in the middle of the day for an hour to rest and refresh. We reached Tetuan at half past seven in the evening as completely wearied as poor mortals could be. We were none of us however materially the worse for it the next day, only somewhat jaded and bruised. Tetuan is a crowded dirty population consisting of Jews and Moors, yet notwithstanding its magnitude there is no inn in the place and the only house which receives travellers is a Jew's, situated at the end of a filthy meat market. All the Jews live in one quarter of the town and the Moors in another. The latter treat the

former with the greatest contempt. A rich Jew merchant is obliged to pull off his slippers before he passes the threshold of a Moor of any note, and they drive them about the streets whenever they cross their path, much as you would a dog. The English Vice-Consul, whose name is Butter, has a large family and rather small means; it is not therefore in his power to ask us very much to his house, but he has been very civil in sending us his interpreter, Hadji Mahomet, to accompany us around the town. Hadji is a very respectable man who has made two pilgrimages to Mecca, speaks the English language very well, seems to have a liberal mind, and is very much interested to protect us from insult. The Moors here are so wild and savage the Vice-Consul himself is afraid to walk out without Hadji as a safeguard. I believe I am the first American lady to visit Tetuan, and Lady Franklin is the first English lady within 50 years. You may suppose that we are not a little stared at and needed a considerable escort to prevent us from being pulled about. To-day being market day we took Hadji and an additional soldier and went forth in quest of adventure. We saw innumerable Moorish women, with their haicks showing only their eyes, many of which were wild enough. It was as much as our guards could do to keep their hands off us; not that they seemed disposed to harm us, but a strong curiosity which impelled them to see what we were made of. A black Moorish woman took Lady Franklin by the shoulders and turned her around and looked in her face, and laughed, and one of them took hold of my dress from behind, and seemed equally amused. We yesterday paid a visit to Said Mahomet Ash who is a Basha and Governor of the place. We had not expected to see him, but only to see the Emperor's house in which he does not live, but on application respecting the house, he signified his intention of seeing us. He received us standing in the yard leading to the stable, with two beautiful horses one on each side of him caparisoned with crimson cloth. The most honored place of reception is the stable; he has some fine Arabian horses presented by the Emperor, and they are so partial to these noble animals, that they consider their dwelling the most desirable spot to receive guests. After our introduction we were notified that we were to walk in the garden and to stop a while. We soon perceived that we were to be treated, for which we were sorry, as we knew it would make a considerable demand upon our purses. The Kaid is a good humored, gross looking figure, not dressing any better than any of his soldiers. Soon after we were seated in the summer house he made his appearance, and on our rising he begged us to keep our seats. Rather a peculiar sort of wooden chair being brought, it was placed on a raised platform a little distance from us, on which he seated himself, and putting his arms on his knees in a careless easy manner, ordered tea to be served. He then looked around upon us, as if doubtful which to address,



but concluded by asking through the interpreter if Dr. K. was not older than me. Being informed that he was 15 years my senior he inquired if we had any children, and being answered in the negative his conversation with us was finished. These were a sort of barbarian questions that would not be pleasing in the polite circles of France and England. He intimated that he was gratified in seeing us, and the servants coming in with two waiters, covered with their handkerchiefs, the rest of the time was, as is usual on such occasions, occupied in discussing their contents. The tea was served without milk, but made very sweet, the servant puts the sugar into the cups, and after he has handed it to you he takes a spoon and goes around and stirs each person's with the same spoon. You are expected to drink two cups, whether you like it or not; cakes of a triangular form composed of almonds, sugar, and cinnamon and covered on the outside with fine sugar are next pressed upon you. After you have partaken of these, a conical cake less sweet but more fat, is given to you, of which you must eat, then you are urged to bring away some of each sort. The tea things are now removed, and the waiter enters bearing a cut glass bowl of buttermilk and a large dish of dates. Every one drinks from the bowl, but fortunately you may take as small a quantity as you please. A handful of dates completes the ceremony. We were now at liberty to take leave, and permitted to go over the Sultan's palace, which is unfurnished and unoccupied, merely conveying an idea of Moorish architecture. When we got home we learnt from Hadji and our landlord, with whom Sir William Eden and Sir Charles Gordon have stayed, what presents they had sent, and what would be necessary for us. We accordingly employed Hadji to procure the articles, which consisted of a piece of fine French grey cloth, two pieces of white muslin, 2 fancy silk handkerchiefs, 2 loaves of sugar, 2 cauisters of tea. These were despatched with our compts., which brought back to us civil messages of the pleasure he should have in seeing us again, etc. The Moors are said to be very miserly and faithless, and the Kaid is noted for his want of veracity. He has but one wife, by whom he has 5 sons, but the number of his daughters is not easily known as they are never seen. He is an enormous eater, rises early, and commonly demolishes two whole loaves of bread, buttered and sugared, with two pots of tea to moisten it. At his dinner which he takes about two o'clock he eats a dish of Kookoosoo with 4 fowls, and he rarely leaves even a leg or wing of them. After dinner he takes another pot of strong tea, smokes 3 or 4 pipes and takes a nap. If he finds his dinner oppressive he lies flat on his stomach to repose. His supper consists of another dish of Kookoosoo and another pot of tea. The next day we went to see the Emperor's garden at Kitan. He sent one of his soldiers to escort us. They are the finest lemon and orange groves to be seen. There are also delicious

grapes and figs. The Tetuan oranges are said to be the best in the world. The soil around Tetuan is very fertile and it has some pretty scenery. The morocco slippers, cushions, straw mattings, baskets, etc., are the principal manufactures of the place. We went into a number of Jews' houses to see their fine things and handsome daughters. Many of the Jewesses are very beautiful. It is now the feast of Tabernacles in which they fit up a small room which is open to the sky, only they make a sort of wicker covering of myrtle or some other green to shade them. In this room they eat all their meals during 8 days. It is commemorative of the time when they were in the Wilderness, and had no dwelling; they live better during this period than ordinarily, and some of the rich have the side draped with draperies of embroidered silk or fine chintz. We shall leave here to-morrow for Malaga.

CORFU, Oct. 29th, 1881.

We find the Gov. Sir Frederick Adam gone to England; it may be that he will not return until after we are gone; the chief justice Kirkpatrick is also absent so that we may not find the island so gay as it usually is, but this I shall not regret. I am charmed with the beautiful scenery that surrounds us; we are living in Mr. Crawford's house, he and his family being absent with the exception of the servants. It is delightfully situated in front of the esplanade, with the citadel directly opposite to it, with the distant coast of Albania in view. We have two large drawing rooms, with dining room, library and sleeping apartments, all on the same floor. Mr. C's servants, with our courier and Lady Franklin's maid, compose a tolerable household, and very likely when Sir John arrives we shall have another from the Rainbow. We have every comfort that we could desire. Sir Walter Scott was expected at Malta when we left. I was told by one of his friends that he was but a wreck of himself. His labors in this world are probably passed. I was astonished to hear that he was only 62 years of age. He has had repeated attacks of paralysis which have greatly enfeebled him, but he is anxious his situation should not be known on account of some contracts with the book sellers, which his son-in-law Lockhart thinks he may complete, and yet have pass under Sir Walter's name.

CORFU, Nov. 26th, 1881.

The climate of Corfu has been delightful most of the time that we have been here, and the scenery of the surrounding country and coast as beautiful as can well be imagined. We have taken a number of drives through the most interesting spots and been charmed with what we have seen. We visited the remains of a temple and fountain supposed to be the site of ancient Corcyra and where Homer in the 6th book of the Odyssey describes Nausicaa, the daughter of the king of Phæacia, as awakening Ulysses and relieving him from his perplexi-

ties, she being with her handmaid washing her garments in the river, preparatory to her nuptials. It was quite a week after our arrival here before we were joined by Sir John Franklin, he having been detained by calms and adverse winds. He seems highly respected and beloved by every one about him. He appears to be sensible, rational, unaffected and social. I very much like him, so far as I know him. I do not think it will be in his power to forward any of our plans by conveying us to any place in the Rainbow, a circumstance which he regrets, but the orders of the Admiralty are very strict respecting the officers' wives. He could take us, perhaps, but not Lady F. We have however the advantage of the ship's boats to carry us to any of the small villages bordering on the coast, or to any objects of curiosity in or about the harbor. We have generally 6 neat sturdy rowers, and go at the rate of 3 miles and a half an hour. We find this very pleasant in fine weather. The society of Corfu is like most garrison towns somewhat limited as to members, but lively and given to hospitality. We have been to a good many dinners and some evening parties, so many red coats and epaulets make a gay and brilliant appearance, and ladies of all ages are in great request as partners in the dance. Major Gilbert, who solicited me to waltz or for a quadrille, looked unutterably astonished when I told him I had ceased to partake of such amusement, though I had been fond of it in bye gone days. Here the mother of ten children dances as nimbly as a lass of 16. It may be that I shall feel obliged to summon courage to take the floor in spite of my unwillingness to do so, for the accession of Sir John's young middies to our host of military beaux make them almost press one into the service. As we are at housekeeping too with one of the best dwellings in the town with 5 servants, beside occasional assistance from the steward and cook of the Rainbow, we shall doubtless be expected to receive the officers of the ship and to return the civilities of the inhabitants, and it is our intention to do so, therefore I may be obliged even to dance for the general good. We have seen Lady Valsamachi, Mrs. Weber that was, and her husband Sir Demetrio. The impression here is that she has made a bad bargain, but her appearance does not indicate regret on her part. He is not respected by the Corfuites, and they go very little into society. They have just returned from their first visit to the island of Cephalonia which is his birthplace and where he has an estate. She professed herself much pleased with the reception given them, spoke of being feted, said they should have had their path strewn with flowers, had their route been earlier known. This account surprised the good people here, who thought the excursion would be productive of further disappointment to her and that her lord would sink into his real insignificance in the land of his fathers. If she had any feeling of this sort she was too wise or too proud to manifest it, she seemed not only sat-

isfied but gratified with her tour. When her husband was in England he assumed the title of Count, not from having any right to it, but that he thought it a convenient one for a traveller. Many cavil at his pretensions to a Sir, and it is doubted whether he could strictly claim it, though courtesy commonly awards it to him. But supposing he were in reality a count, she would have been more honored as the wife or widow of an English Bishop, than as a Grecian countess. She has chosen her lot however and is judicious in making the best of it.

One of the amusements of the place is the opera, the performers are very good for the size of the town, the house is open four times in the week and is usually pretty well filled. We have been once and have the offer of Sir Alexander Woodford's box whenever we choose to go, he having the use of Sir Frederick Adam's during his absence. During the carnival they are usually very gay, masked balls, etc., as at Rome.

We have sad accounts of the excitement produced in the mistress of the world by this Reform Bill, but I trust the good sense of the people will prevent the finest and richest country from being desolated by revolution and civil war. The riots originate with the mere mob, and it is probable that the government will take such efficient measures that a speedy stop will be put to their proceedings. There has been a most wanton destruction of property in England during the past year. Sir John is a great monarchy man, as well as having a high opinion of his country so natural to Englishmen. He thinks that if things were to proceed to such extremities as to destroy the credit of England the whole world would be moved. I did not doubt it would, I told him, even affect America greatly, but not shake her to pieces. We should still be able to subsist, but the effect upon Europe would be appalling. Lady F. seems desirous of having a little property placed in our country, but her husband says nay, he is determined to sink or swim with dear old England. We perceive by the English newspapers that our chief, General Jackson, is in a bad state of health. Some one condoled with me on this melancholy intelligence, but I assured them that my interest in the head of our nation was not very great, that I did not think him worthy to occupy so high a station and that if the country had flourished under his administration, it was to be attributed principally to our constitution of government which puts it out of the power of any individual materially to affect its prosperity. I am quite willing to see a new president, the conduct of General Jackson and his cabinet has not been very dignified.

Sir Walter Scott has arrived at Malta and is considerably benefited by his voyage, though Dr. Davy in a letter to Sir John speaks of him as unable to stand without support. His son, Maj. Scott, and his unmarried daughter are with him. Some of his friends are anxious that he should remain this winter in the fine climate of Malta, but he seems

disposed to go to Naples and Rome, combining objects of interest with mild skies, but I believe if he consulted weather alone he would remain in Malta. I wish he may be persuaded to do so, as in that case we should have frequent opportunities of seeing him. Dr. Davy is brother to the late Sir Humphry Davy and married to Miss Fletcher, daughter of the lady I knew so well at Edinburgh. He mentions us with kindness in his letter to Sir John and hopes that we will accept of his country house at Pieta, half a mile from the town, as our residence. It is probable that we shall accept his offer, as the Rainbow has been hauled up for refitting, and we can have servants and furniture much as we want. Living is cheap at Malta and Corfu. Game is very abundant, woodcock frequently sold at six pence a brace. You have them in some form or other at every dinner. The nicest bird I have ever tasted is now out of season, the beccafica (fig eater); it is perfectly delicious. We see a good deal of the officers of the Rainbow, the two first Lieutenants, Eliot and Estcourt, are men of high family and very agreeable. We have also a young baronet among the middies, Sir Frederic Nicolson, about George's age and size. It seemed so amusing to me the other day when he dined with us, to be calling this stripling Sir Frederic. He is an unaffected, good looking little fellow. There is a constant change of society both military and naval. Two of the regiments are ordered home, two others are to supply their places, so with the ships, they are relieving each other. The Quartermaster General's wife is a lady of ancient family, and most unbounded curiosity. When she asked Lady F. who I was and who my father was and what his occupation was, I supposed it was to be ascribed to my republican country, but the first opportunity she had, she asked me the very same questions about Her Ladyship, so I perceived it was her disposition and nothing peculiar to myself. We have since diverted ourselves with her desire to fathom all our arrangements.

CORFU, Jan. 30th, 1832.

Since I last wrote you we have had a hard day's work in ascending St. Salvador, a mountain 3000 feet above the sea, where the Greeks hold a yearly festa in August. The ascent is six miles of as rough road as I ever encountered, very steep as you approach the cone. I walked all the way down, and Mr. Wincock, the chaplain of the garrison, with the Dr. and myself and two of the officers of the Rainbow got separated from the rest of the party, who had the guide with them that knew the road. Finding ourselves in this predicament, and darkness covering the earth, so that we could not discern the path, we prepared ourselves for an adventure, when after wandering two miles out of our way and getting down upon the beach, we were brought up by a rock which projected into the sea and defied all further progress.

We now retraced our steps a short distance, then struck into the woods again and had the good fortune to discern a path, which proved the right one, so that instead of being murdered or any other tragical issue, we reached our friends in Casa Barbati in safety, about an hour after their arrival. I believe I may say as Dr. Johnson observed of the Giant's Causeway "That it might be worth seeing, but not worth going to see." However it is one of the lions of this part of the world and we might not be justified in omitting it, beside Lady Franklin is one of those travellers who is not satisfied to leave any thing unseen. We leave here to-morrow in the steamer for Malta without Lady Franklin, Sir John having been disappointed in not having been relieved from his station. She will join us next month, and in the interim we make preparations for our departure for Alexandria which we are anxious not to postpone after the first of March. It is probable we shall charter a vessel for our use, and perhaps be accompanied by another person in addition to our present party, Capt. Pelton. We have received a friendly communication from Commodore Biddle. He thinks it probable that he shall send one of the ships to the Levant, but as our motions must be quick and varied, it may be better to have something at our own disposal. The dissensions that are taking place in that quarter of the globe will make it necessary for us to hoist the English or American flag. It would not do for us to go in the vessels of the country, it must be a flag that can be protected by its consuls or ships of war. I rather regret that so much of the time has been passed in Corfu, it crowds too much in the next month, and will be apt to bring us too late upon our own coasts.

Nothing can be finer than the weather has been for a long time. My friend Mrs. Col. Campbell takes me driving in her open carriage whenever I list. I am almost as much at her house as at yours, I run in there every evening I am not otherwise engaged. Sir Frederick Adam, the Lord High Commissioner, being in England we have had no parties at the palace. On New Year's Eve we had a ball at Col. Drake's that was very pleasant, and a sort of allegory of the seasons was got up as the clock struck twelve.

Miss Winter was personated by Maj. Gilbert one of the most active spirits on these occasions. His costumes are particularly good, he was such a figure, and he capered away in his dress with such agility, that one could not help laughing at the nonsense. Col. Drake's house is always open to the military every evening and in pleasant weather they fill the balcony, which goes out from the drawing room, with the smokers. The house is beautifully situated, commanding a view of the harbor and of the Albanian coast. We have had X. Y. Z. performed by the officers, and the author of the rhymes was Neddy Bray. It went off very well, and they are getting up William Thompson. The carnival

also commences next week, when there will be masking and masked balls, but having seen this sort of thing in Rome I am indifferent about seeing it here. We have ten days quarantine to perform in Malta, but as they allow for the day we arrive and the day we go out, it makes 8 days residence in the lazaretto. This is quite enough, for it is a gloomy pile, immense rooms with stone floors, and no furniture, you have just as much as is indispensable; however I dare say we shall get through it without having the blues, but the quarantines you are exposed to in travelling in the East are certainly a great annoyance.

MALTA, March 5, 1832.

We arrived at Malta in the *Hermes* the 2 of Feb. We were immediately visited by Mr. Eynaud, the American Consul, who procured us every comfort for our residence in the Lazaretto, and also very kindly invited us to accept a room at his house when our quarantine expired during our stay at Malta. We did not find our time hang heavy at the Lazaretto, occasional visitors at the Parlatorios, with writing, reading and necessary employments made the days pass quickly. Two of the days the steamer remained, and you are allowed intercourse with them, so that you are left to your own resources for only six, and as they oblige you to take every thing out of your trunks and hang them to air nearly half of the remaining time is consumed in this operation. We won't say much for the agreeable in all this, but it drives away the blue devils. Dr. and Mrs. Davy called upon us once or twice before we got pratique; she was a Miss Fletcher, daughter of the lady I saw so much of in Edinburgh. She is a most delightful woman, very intellectual and highly educated, yet perfectly natural and lively. I learned from her that Sir Walter Scott was better since he had been in Naples than he had been at any time since he was first attacked. While here he indulged in dining out and drinking champagne, which is so very injurious to him, until at last he became convinced of it himself and determined to give up wine altogether. They speak of his memory as greatly impaired, particularly of recent events, repeating the same story over three times in the same day to the same person. His son seemed distressed at this, he said his father had always been remarkable for being able to talk a whole day and yet always saying something new. He still writes with considerable vigor and is assiduously engaged in a new work, "The Siege of Malta." He still continues his journal, which he has regularly kept for the last ten years, and which is to be published after his death. This it is thought by some persons will be the most interesting of all his works. He appeared rather impatient to return home as he felt it a sorry business for an old sick man like him, to be travelling the world over, and yet his children wished him to resort to it more with

the hope of amusing him than from any sanguine expectation of benefiting his health. His disease is apt to produce irritability, at the same time it disqualifies from long continued mental effort, to which he has been so much accustomed that time hangs heavy on his hands. If he perseveres in the system of abstinence with moderate exercise his life may be protracted a few years, but anything beyond this cannot be expected, so the physicians who accompanied him from England say. When here Sir Walter was very full of the conjuror of Cairo, of whom you may have read some account in Madden's Travels in the East, and of whom Lord Truro and Maj. Felix related miracles, and which Mr. Locker (one of the "Unco good") as my husband calls them, gave us an account of in the steamer with all the seriousness of an historian. Mr. Locker was on the point of having the whole published with a certificate of the persons above, but after thought better of it and suppressed it. We heard however that it was printed, though not published. We are advised to make a point of seeing this gifted being. Sir Walter had a great mind to go to Egypt for this purpose, for he considered that if they could control the laws of nature in Cairo they might do it in Edinburgh, and that he might thus have reason to believe in these stories which he had heard with some misgivings from the lips of his venerated mother. But a recent traveller brought reports unfavorable to the honesty of the conjuror and made him forego his intention. So much for the greatest man of the age, and now for another topic.

As soon as we arrived here we were visited by the American missionaries who are residents engaged in printing school books and the Scriptures in Greek and Arabic for the use of the East. There is no field here for their labors in making converts to Christianity, the Maltese are so attached to their own faith, and so suspicious of the mission knowledge which they have attempted to spread by trying to establish schools but with little success, except in teaching the art of knitting to some of the lower class. The poverty of the lower orders is extreme; it is fortunate for them that they have so mild a climate, and that food is cheap, for multitudes rise in the morning without knowing how they are to get through the day.

We learned from these gentlemen that Commodore Biddle intended sending the corvette Concord, Capt. Perry, to Alexandria and that we were to be invited to take passage in her. Should this information be correct we shall avail ourselves of it as we have been disappointed in securing the vessel we had thought of from this port, and shall seek for one at Alexandria.

Bigelow's account of Malta, though written with his usual pretension, gives you a pretty accurate idea of the Island. Lord Byron's



adieu to Malta is pretty true too, "Adieu ye cursed streets of stairs. How surely he who mounts them swears, etc." This colonial society with but few exceptions has but little attraction. I met at Dr. Davy's with Capt. and Mrs. Copeland, who have been engaged for some years in surveying the coast of Greece, very agreeable people, also Mr. Frere, formerly British minister to the Court of Spain. We were called upon by Mrs. Fletcher, and are going to pass an evening with her, she calls her place the Garden House. It is a pretty low building, surrounded with geraniums, oranges, lemons and the plants of the country. At the entrance of the grounds is an aviary of canary birds, and in the drawing room a parrot of whom you hear many notable anecdotes. The lady of the house dressed à la Française, her fingers covered with brilliants and emeralds, her motions quick, her tongue voluble and lively.

March 6th. Last evening we went to a fancy and mask ball given by the garrison, it was a gay scene, some pretty women in Greek and Turkish costume, gentlemen in female attire, etc. It contains the most spacious rooms, all on the same floor, enough for dancing, cards, supper. This is a great convenience for parties, but the rooms are too large to be agreeable when without company during the winter season. They are admirably suited to the summer, having height as well as space. The steamer has just returned from Corfu and brought Lady Franklin, in season to accompany us in the Concord which has just come from Syracuse, and it is decided that we go in her to Alexandria. We sail the 11th. She is a beautiful vessel and moves rapidly. Those of the officers that I have seen strike me agreeably and I anticipate a pleasant passage of 7 or 8 days. We have exchanged our Greek courier for Achmet who is an Arab and went to Jerusalem with Lady Georgiana Wolff. Her husband you may have heard of, a crazy sort of missionary in the East. She is an Earl's daughter of the Bathurst family. The marriage was thought very extraordinary. Her husband not only crack brained, but the greatest sloven ever seen. I have been told that a lady at whose house he lodged burned the bed on which he slept, at his departure. Lady Georgiana speaks in raptures of Jerusalem, says there is no spot on earth in which she should like so much to live. She is quite absorbed in religion, looking for the fulfilment of all the prophecies. We have found time since we have been here to read Cooper's new novel *The Bravo*, and were much interested in it; perhaps our recent acquaintance with Venice made us enjoy it more. *Castle Dangerous* has not happened to fall in our way, but I am told it is an entire failure. Since Sir Walter has been in Naples they have given him a fancy ball in which the company dressed in the costumes of the characters described in his works. This must have been worth

seeing, though an injudicious way of entertaining a sick old man to whom rest and early hours were very desirable.

ALEXANDRIA, April 18th, 1882.

We had the opportunity of seeing the Pasha of Egypt for an hour and a half on board the Concord. We were introduced to him and received the usual salutation of putting the hand on the breast with an inclination of the head. He speaks only in the Turkish language, though he is acquainted with Arabic and Italian. He is a short, I should say rather vulgar looking man with a quick, penetrating gray eye. He is undoubtedly a man of great talent, they consider him a species of Napoleon, not naturally cruel, but very prompt and decided in his measures when the good of the state or his coffers require it. He has great respect for Europeans, and is unwilling to commit any of his barbarous acts in Alexandria where they chiefly reside. But we encountered a shocking spectacle the first day we arrived in Cairo. We were mounted on donkeys perambulating the principal streets when we came to a spot more crowded than the rest, and on the Janizary who accompanied us motioning to the people to give way, we perceived a man lying stretched before us, the head severed from the body and placed between the legs to indicate that he was a Christian. They were just sewing a label on his breast to notify the people that he came to his fate by expressing his opinion too freely on politics. I fortunately saw only the pool of blood which sickened me to such a degree that I can scarcely write about it without a giddiness in the head. Lady Franklin, who preceded me, said that he was a fine looking man in Turkish dress. These executions take place in the middle of the most public street, in view of the people, and the body remains exposed to every passer for 24 hours or two days. There has been a considerable number of these events within a short time, so that an English gentleman that I met told me that he had become so familiarized to them that they ceased to trouble him. The troubled state of Syria obliges the Pasha to raise 20,000 new conscripts, and the people are already so ground and stripped with taxes to maintain the war with the Porte, that he fears a revolution among his subjects. This is the only apology his best friends make for him. The English who are in his employment are generally great admirers of him. His fleet is much superior to the Sultan's and it is probable that for the present he will be victorious, if unable to retain his conquests permanently. He is so ambitious, that in grasping at so much, he may lose all. On leaving Alexandria we came by land to Rosetta near 40 miles on donkeys. About half the way is on the beach by the sea and the air was cool, but the reflection from the white

sand burnt our skins extremely. The last two hours is across the desert, and sufficiently dreary to satisfy one with this specimen. Mr. Galloway's boat had not arrived and we employed ourselves in visiting the mouth of the Nile, in looking at the Governor of Rosetta's gardens and several large manufacturing establishments. Rosetta, formerly considered the paradise of Egypt, is now deserted and ruined in appearance. Lofty mansions uninhabited, with broken windows, give you a gloomy feeling. Great quantities are produced there, but the Pasha appropriates it all to himself, and the poor Arabs have but a miserable sustenance. The next morning we embarked for Cairo, and were three days in reaching it. We stopped at Fouah and one or two of the principal villages as we went along, dirty, miserable looking places, with a wretched population. The Nile is a fine river very like our Mississippi; it is at present low which prevents the banks from looking as well as when it is full. Cairo is a more interesting and curious place than Alexandria, there is more country round it, verdure and trees. The second day after our arrival we set off for the pyramids, with Osmin the Scotch renegade spoken of in the "Modern Traveller" for our cicerone. We arrived at their foot about sunset, they look much smaller than you expect, only piles resembling dirty bricks, indeed until you are so close to them as to touch them you do not realize they are stone. The execution of them is very rough, particularly the exterior composed of huge broken stone, not one of them smooth and perfect. After a little rest and refreshment, we sallied forth with our torches and guides to explore the interior of the largest pyramid, Cheops, the evening being as well suited to this as the day. I found the difficulties of entrance magnified, with the exception of two spots, nothing but what any one might accomplish. The heat was very great and on reaching the king's chamber, which is the largest and above the two queens', a few bats were flitting over our heads but not enough to disturb any but the very timid. Lady Franklin went on to examine Cephrenes, but I was content with what I had seen. We lodged in one of the catacombs and rose at sunrise to ascend the outside. Dr. K. accompanied us with the intention of mounting, but altered his mind as it looked rather formidable, especially as they tell you of a young man who fell and was dashed to pieces a few months since. But this is a very unaccountable fact to me, unless he was by himself and was giddy or had an ill turn. The fatigue was great, the charges small. We had three Bedouin Arabs, one on each side and one behind. They were very active and strong and assisted you greatly in getting up. Many of the stones you ascend are four feet high, and it would be impossible for you to climb them without this assistance. The

only objection to them, for they are very obliging and good tempered, is that they are so filthy both to the nose and the touch. Dr. K. got a number of creeping things, but I was lucky enough to escape. You have nothing to reward you for mounting but an idea of the vastness which you cannot otherwise acquire. We were 40 minutes in going up, and 22 in descending. Mr. Coster, a gentleman residing with Mr. Galloway, who went with us, cut our names in the imperishable stone, probably the most enduring memento of us (one which will survive all others) for although Mr. K. was only at their foot I had his name engraved on the top. We were unfortunate in our weather, the wind from the desert excessively hot, with a scorching sun. We set off however for Sakkara and were exposed to its influence all day, with the exception of a few minutes we passed in a tomb with Mr. Wilkinson, and then the contrast was so great that I doubt whether it was salutary. We stopped at Memphis to look at the remains of a colossal statue, and a few miles further on took the boat, which the next morning brought us to Cairo. Our excursion made us so feverish that we were glad to remain within doors for a day or two. Dr. K. who went out the next day for a short ride, the Kampsen wind being still more powerful, returned so heated that I feared he might have a regular fever, but care put a stop to its progress. We are most comfortably situated, and kindly treated at Mr. Galloway's. The eldest brother Mr. Thomas Jefferson Galloway has been eight years in the Pasha's service. He is lately married to a Miss Beckwith, daughter of a gun-smith in London, she is a pretty woman and well educated. She ought to be much in love with her husband to give up the comforts of an English home and sojourn in Egypt. We left them in Alexandria, but the other brother George Washington has been our host. You will perceive that the father of these gentlemen is a great admirer of our republic, and a noted radical in England. The Mr. Galloways are occupied here in superintending the different manufactures. The one that has been the longest in the country has a salary of 1500 pounds a year and five per cent on all the machinery that comes from his father (he being a machinist) which is advantageous all around. Mr. Galloway has kept open house for all travellers, but his young bride has induced him to retrench, which is wise, as his income must depend on the life and success of the Pasha. They have adopted the costume of the country and some of its customs. Their apartments are arranged with the divan which they sit upon after the Eastern fashion. They serve coffee to morning visitors instead of wine and biscuit and smoke pipes and Sheshass all day long. I was induced to try the latter one evening after dinner, and found a very short trial of it made me giddy. The meats here

are very bad and your appetite but little better. They drink the French wines during the summer, but in winter I believe sherry and port. There are no English ladies here, with the exception of Mrs. Galloway, but some agreeable gentlemen. Mr. Burton has been a long time a resident, so that he has a reputation of being such a Turk in his habits that he is unwilling to see a lady in the European dress. We however have seen him, and thought him very pleasant. The accounts we have received from Syria make it doubtful whether we shall be able to prosecute our visit thither, and Lady Franklin would be glad to substitute Thebes in its place, but the magnificence of the ruins would be no inducement to me to undertake the voyage at this season of the year. The navigation of the Nile is so slow and the boats so bad (you cannot stand erect in them anywhere but on the deck, and that is so exposed to the sun that you cannot avail yourself of it but a small part of the day) that after being in them a little while you feel cramped and uncomfortable. Mr. Arundale the young artist who came in the ship with us leaves for Thebes in a few days. He has a good servant with him, otherwise I should think his situation critical, for he is liable to epilepsy or something very like. On our excursion to the pyramids he fell from his donkey and had a very ill turn. It seems to me that fifteen days, which would be a very short passage at this season, will be very trying to him. I never felt any weather so enervating. There are so many rumors afloat that it is difficult to know what to believe, but report says that a gentleman who went from here to Jerusalem was taken up and threatened with being put into an oven and baked, unless he produced a large ransom within a given period. It may all be a fabrication, but at any rate there is an English frigate at Jaffa which would be some protection to us if we got into any difficulty. I am not really apprehensive of any, for generally speaking these things are so much exaggerated, that when you approach the scene of action, there is nothing to fear. The plague is at Beirout, so we struck that out of our list of places. We returned to Alexandria last evening being just three days in coming from Cairo. The day we left Cairo we visited the Pasha's palace and gardens at Shoubra cultivated somewhat in the English style. It is a pleasant spot but he occupies it but rarely. We saw on the same day Mrs. Col. Light who has just returned from Thebes in the Mameluke dress, a very remarkable woman, a strong resemblance of Mrs. Holly on a large scale. Very masculine in mind and achievements, but soft feminine manners. She is said to have made considerable proficiency in hieroglyphics, she smokes with great skill, shoots, knows all the ropes of a ship so that she can direct the sailors in

the absence of the captain, in short finds all knowledge within her power that she seeks to obtain. But the usual observances of female life she sets at nought, thinks nothing of coming from Thebes without any of her own sex in the boat with Capt. Bowen, a fine, handsome dashing almost impudent looking fellow in the Turkish dress, to whom she occasionally says "Only think of that Jack." It is said Col. Light and she are not very happy together, that though she is very fascinating to others she is not particularly interesting to him. I should like to have seen more of her. At Cairo we determined upon enlarging our party by taking into our service Mr. Coster, who is tutor in a gentleman's family in Syria for some years. He is a worthy respectable man who has some idea of trying his fortune in America. We have engaged him for only three months and as we have taken a vessel for the same time, there will not be much additional expense incurred except for food. Dr. K. expects him to write for him half the time, and Lady Franklin to sketch for her the other half. He is a tolerable artist. Since our return to Alexandria we have been stopping at Mr. Thurburn's, where we have had every luxury. We leave here for Jaffa the day after to-morrow. Dr. K. has been to see the accommodations and is well satisfied with the appearance of things. We learn that the Pasha made Capt. Perry a handsome present of a beautiful shawl for Mrs. Perry, also one for Capt. Kennedy's wife who presented the spears and gilt handled sabres to the officers. Capt. Perry was scrupulous about accepting these gifts, but was told by the Consul that it would be considered an offence, so he received them with some qualifications. We have not been able to get access to any of the harems, only seen the ladies muffled up on donkeys, sitting astride as the men, taking an airing. They seem huge clumsy bodies. Egypt is undoubtedly a curious country, differing from Europe in everything, but it has no attractions for me. I shall leave it without regret, though with grateful recollections of the great kindness we have received from many individuals. The famed magician that we had hoped to have had an opportunity of seeing in Cairo was in prison, so that I could not ascertain how susceptible a subject I might have proved for being wrought upon. Though I believe it all humbug, yet I was sorry not to have seen the farce. Some Europeans, after living a good while in this country, seem to believe in magic.

NAZARETH, May 2, 1882.

Here we are in the holy city, and you would have been amused if you could have seen us caparisoned for our journey to this interesting quarter of the globe, interesting for tradition, association and our early imbibed sacred impressions. We left Alexandria on the 24th of April with a

gentle favorable wind and with the expectation of its continuance for another day which would bring us to Jaffa, but contrary to our wishes the wind changed and it was not till the morning of the 30th that we reached Jaffa, being forced to depart from our first intention. On anchoring we took to the boat and rowed to the town to visit the Sardinian Consul, the capt. of our vessel being a Ragusan. From him we heard that the pest had just appeared in Jaffa, and that before we could get there probably a quarantine would be laid which would be a hindrance to our plans. He therefore advised that the gentlemen should go to the camp of young Ibrahim Pasha (grandson of the Pasha of Egypt) just on the borders of Acre and show him his grandfather's letter and request an escort to Jerusalem, with horses, mules, donkeys and whatever we might want, with letters of recommendation to the Govrs. of the different places we might pass through authorizing them to furnish us with what we needed. Having decided on taking his advice, and it being too late for the gentlemen to start that day, we thought that we would employ the remainder of it in ascending Mt. Carmel to see the "excellency" thereof. On its summit is a fine Latin convent where we stopped to rest and take refreshment. The monks showed us a beautiful young girl, who they said had recently fled there from Acre, but I have some doubts of the truth of their story. Their eyes sparkled when we commended her beauty; she certainly was a lovely creature. When we descended to the town we found the surf so high that it was impossible to go off to the ship and we had recourse therefore to the Govr. to find us lodgings. He readily acceded to our wishes and sent his servant to a vacant house of two rooms, and supplied us with mattress, carpet, etc. At about six o'clock he sent us in a supper in the Turkish style, but inferior to what it would have been in a large place. First entered a low round table on which was placed a heaping dish of pilau made of rice stewed with butter or oil, or some kind of fat gravy with raisins in it, a dish of boiled meat, another of fried liver, and fried mutton, and some rice fritters with chopped meat in them. This was the contents of the first table, the second was long and narrow which had a second pilau without raisins, a bowl of yaort which is thick sour milk, another of chopped meat prepared with garlic and rice and rolled in a grape leaf, which is designed to eat with yaort, leaves and all. This is esteemed particularly good. Some cold heavy pancakes with sugar, and one or two other dishes, made the sum of the repast. No knives, or forks, or spoons, or plates were brought us, but luckily for our European habits we had our canteen with us, which furnished us with these necessary articles. The liquors were aqua vitæ, with annis seed in it, and a poor kind of red wine. We soon retired to bed but not to rest, bugs, fleas, etc., were enough to devour us, even Dr. K. was so fevered and restless by them that I doubted if he

could go to the camp this morning, but however after washing and getting a cup of tea he was able to depart. I was a perfect spectacle, no person with measles would be more thickly covered with eruptions than I was with bites. We made for the ship as early as possible, and in the evening the gentlemen returned from their expedition having succeeded in obtaining what they desired. The following morning we left Jaffa with much noise, and bustle and altercation with the drivers of our beasts which were of various orders, at 11 o'clock instead of 8 as we proposed. The road lay most of the way through a fine rich country, interspersed with beds of the most luxuriant wild flowers I ever saw. As we approached Nazareth it became more mountainous, Hermon and Tabor and others in the distance. The town lies in a valley and as we descended to it by the dim light of early evening I thought it picturesque in appearance, but the bright sun of the morning brought so much filth to view, that one regarded it less favorably. They show what they say was the workshop of Joseph the carpenter, over which they have erected a chapel, also another in which is a rock said to have been used by our Saviour as a table frequently, when eating with his disciples. We visited the Salutation Well as they term it, believing it to be the place where the Angel Gabriel hailed Mary as blessed among women; we tasted the water which was very pure. We lodged at the Latin convent and were kindly treated by the monks for lucre. We remained a day and two nights and then went on our way to Jerusalem. I have not described our attire; I wore my Frank dress, except my hair all put back, a turban on my head, and over this a white cotton sheet which covered a considerable part of my face and was fastened around my waist like the friar's robe. I mounted my horse astride with a pair of yellow Turkish boots on my feet. Dr. K. wore his usual dress, except armed with pistols; the guards all call him Hadji. A number of persons joined our train on the road because we have a guard of five men, three servants and six soldiers. From Nazareth through Genyn to Nablaus which is beautifully situated. There are to be found 40 families of Samaritans, said by some travel writers to be the only ones in the world. I am not sufficiently learned to say whether this information is correct. The Samaritan priest came early in the morning to offer to show us their church which is very neat and carpeted, and they are obliged to take off their shoes before entering. In their looks, that is faces, they resemble the Jews very strongly. From Nablous we were 2 days to Jerusalem. The road is very bad and the sun intensely hot, so that we made slow work, beside the delay incident to moving such a body with so much luggage. At length Jerusalem once "the joy of the whole earth" presented itself to our view, the first sight of it very pretty, it is situated on a rising slope on the borders of a rich valley with the mosque of Omar, Solomon's Temple, the dome of the Church



of the Holy Sepulchre, the towers of various convents and other lofty buildings which give it an imposing appearance. The first place we visited was the Holy Sepulchre. It is kept very neat with numerous lamps burning night and day, but it requires more faith than I possess to consider it in any other light than a tradition of the monks gotten up and preserved for mercenary purposes. We went through all the minutiae, from the spot where Christ was seized to the stone of unction where he was embalmed. In the afternoon we ascended the Mount of Olives from which you have a good view of the Dead Sea and a small part of the River Jordan emptying into it. Lady Franklin has gone to touch Jordan's "cold flood," but Dr. Kirkland thought the fatigue would be so great that it would be more prudent to remain at home. Jericho the only noted place through which you pass on your way to Jordan is said to be a poor and nasty Arab village. It seems to retain its ancient character, "A certain man went down from Jerusalem to Jericho and fell among thieves," to judge from the escort that was deemed necessary to escort Lady F. On our way to the Mount of Olives we passed the Pool of Bethesda, the Potter's Field, Siloa's Brook "that softly flows," the Valley of Jehosaphat, and the tombs of the Patriarchs. On the top there is a chapel over a stone which they affirm to be the spot from which our Saviour ascended, though the Scriptures speak of his ascent from Bethany. We descended the Mt. by another path, and stopped at the Garden of Gethsemane at which there is a chapel where the priests sprinkle you with rose water, and at a little distance from it is the Virgin's Tomb, where you have another libation. The next morning we rode to Bethlehem, six miles distant from Jerusalem where we went to the convent and were soon surrounded by persons desirous of disposing of the curiosities of the place, large shells of mother of pearl with different events of scripture chiselled on them, small cups and bowls made of the deposits of the Dead Sea, crosses, rosaries and such like. The monks gave us a dinner and afterward showed us the manger and even the place where Joseph remained during the birth of the child. We have also been to Bethany to see the tomb of Lazarus, and the house of Mary and Martha, which appears to be the only good one in the village. The Tomb of Lazarus seemed more like a reality than most of the other places. We made an excursion to Solomon's Pool supposed by some to be those spoken of as composing a part of his magnificence when he says "I made me gardens and pools." However this may be, they are fine stone structures and ancient. We quitted Jerusalem the 13th at half past five o'clock in the afternoon and rode all night, being fine moonlight, to avoid the effects of the sun. We reached Jaffa the next day at noon having halted only twice, first at the village of Abagase where we took a cup of tea and some cold meat, and again in the morning for a similar repast. We usually look out for

water in our halting place, spread our carpets and lie down while the servant kindles the fire and prepares our meals. We are stopping at Jaffa at the house of the English Consul Mr. Damiani, a most kind and hospitable host. He receives no salary from the British Govt. but admits all travellers under his roof without any compensation except their writing in a book that they are satisfied with the reception. He has a most benevolent spirit. We have not seen his wife or any of the females of his family. Even the old men have very young wives of whom they are inclined to be jealous; they therefore keep them very secluded and when they go abroad they cover their faces entirely. We found the journey to Jerusalem so fatiguing that we despatched a courier to Jaffa to proceed to Caffa to desire the captain to bring the vessel to Jaffa. The plague is confined to the gardens round the town, but no cases have occurred within it. I have no fears respecting the plague but while we were at dinner to-day the conversation led Mr. Damiani to speak of his ability to cure cataract of the eye. He said that it was a secret he had derived from an Austrian gentleman who died of the plague at his father's, who to testify his gratitude for the kindness shown him imparted it with a strict injunction that it should never be revealed. He said that he had never failed in any he had attempted to cure, and he observed that the eye being so covered as to prevent sight was nothing, but that if it protruded he let it alone, it being beyond his skill in those cases. I begged him to excuse my making so many inquiries, that I had a friend who had the complaint, to which he replied that he would be happy to cure her for nothing if she would come out to him. He offered if I would remain with him for a fortnight to send for a person with a cataract and remove it for my satisfaction. It takes about 15 days to remove it, and in 25 days the eye will be perfect. He is a very respectable man, and Lady Franklin thought so much of it, that she said if she were situated as I am, she would stay and see what he could do. I feel as if there must be some quackery in it, as a man possessing that power would not fail of securing a fortune and a name in London or Paris. To be sure the people of this country are indolent and ignorant beyond any other, and would not renounce their habits or home for wealth or fame. I asked him if he would not give me the prescription provided that I would engage that it should not be analyzed, and that if it were deemed unwise to use it without ascertaining its properties, it should not be used at all. To which he replied that he must make the application himself. I presume it is all humbug, yet I thought I would do all I could about it. We left Jaffa the 14th for Cyprus and had our usual fortune of a long passage. Cyprus is a dreary looking island, though much famed for its wine and an amorous fountain held in great veneration by the Turks. After contending a long time with baffling winds we reached Rhodes, where we remained a day and a half. It is

rather an interesting island; we made an excursion to one of the mountains from which there is a beautiful view, and the country through which we passed was pretty well filled with figs and grapes. There seems to be no certainty as to the spot where the colossal statue stood, but ships passing between the legs is regarded as fabulous.

SMYRNA, June 16th.

At last after a tiresome passage of 10 days we are here, but have decided on giving up our ship, the north wind prevailing so constantly as to render it desirable to seek if possible some speedier mode of conveyance. Mr. Langdon informs us that there is a packet going to Constantinople the day after to-morrow, which is constructed for beating and tacking and which will probably take us in half the time of any other vessel. We have altered our plans and given up the thought of Greece. We propose going by land from Constantinople to Vienna, and Munich to Paris. We hear the cholera is abating there, and most likely before we arrive it will have disappeared altogether. I am sorry not to have seen Athens, but we made some mistakes in the arrangement of our tour, and have delayed so much on the water that we are not willing to incur any risk of making it too late to go to America this autumn. The state of Greece, indeed of all parts of the world, seems much disturbed, and England, though free from actual commotion, by the last account was in a state of great agitation. The prospect of the Duke of Wellington coming into the administration increases the chance of civil war. We learn that you are carrying on a war of words upon the Presidency and the Georgia question. We have not got any letters from you since we left Malta, but hope to find some at Constantinople. Smyrna has more the appearance of a European, and less of an Eastern town than any we have seen. The country around it and some of the villages are very pretty. The Turkish burying ground filled with cypresses is very impressive. Mr. Langdon, who is our banker here, I believe is a cousin of Mr. Greenwood. He has a most beautiful wife not yet 17, and a very fine boy of six months. They are in the country; we were there last evening. We have seen the American consul and the Dutch, Mr. Van something, who remembers to have seen my father in America. There has been a number of cases of piracy in these seas, so that our vessels are afraid of going out without convoy. The one by which I expect to send this letter is waiting for that purpose. The one of Col. Perkins that the men deserted and took to the boats, having no arms on board, was very little pillaged. They found the next morning when the pirates were gone and they took charge of her again, that only 21 bags of coffee were missing. But there have been sad stories of two Austrian vessels where the people have been murdered, not entirely confirmed. Capt. Perry who has been here, thinks

the Commodore will send one of the ships of war to guard the merchant vessels. Our stay in Smyrna will be so short that we shall not see much of the society; to-morrow we dine at the Dutch Consul's and embark late in the evening for Constantinople.

SEMLIN, July 19, 1832.

LAZARETTO.

We arrived here in 16 days after leaving Constantinople, having stopped in our way 2 nights at Adrianople, and a day at Philipopolis, a distance of about 550 miles on horseback. They told me I was the first lady that had performed the journey in this manner, perhaps none since Lady Mary Montague a hundred years since. She came precisely our route, but she mentions in her letters being double the time in accomplishing it. It is probable the face of the country is not materially changed since her time though the security of the roads is very different, for she speaks of the desert, forests I should call them, of Servia being infested with robbers and thieves. Now you travel without an escort in perfect safety. Our little cavalcade of six horses, the Suligee who had charge of the two baggage horses, the Tartar who is Prime Minister, Dr. K. and myself, moved quietly along without molestation or annoyance. The second day I felt very tired, but after that I became accustomed to the motion and preferred it to almost any mode I have tried of travelling. After leaving Adrianople you have post horses who are trained for the purpose, and generally speaking, with very easy gaits. We found the living very good, and as for the sleeping we generally took a nap under the trees in the middle of the day and made the night very short. Our principal inducement in coming this way was the shortness of the quarantine; in almost every other place you have thirty instead of ten days. At Philipopolis we were introduced by a friend to a rich Greek family where we were received and entertained in a truly patriarchal style, the father and his pretty daughter ministering to us at dinner, not eating with their guests but serving them at table. Lady M's description of this place and of Nipa are in the main correct, most fertile soil, the greatest plenty, and most beautiful situation, yet the mass of the people not benefited by these fair gifts of nature. Dr. K. was amusing himself coming along thinking how much Cousin Sally L. or others of a descriptive turn would make of such a tour, but we plodding matter of fact people turn everything into sober reality. We were fortunate in finding at Semlin Mr. Draften, the bearer of despatches to Sir Stratford Canning, who could give us much useful information as to the best mode of getting to Vienna, indeed he was very kind and interested himself much in our affairs. I presume these bearers of cabinet despatches must be well paid for their services, for he speaks of travelling in his own carriage which is a little bijou, he says, with a reading lamp in the back of it for night and all other

conveniences. He furnished us with newspapers to beguile the time and paid us a visit every day at the grating to see how we were going on; and if there was anything he could do for us. This was the more agreeable as the quarantine regulations are very strict, and you are literally locked up within your own inclosure, and have no intercourse with those who are undergoing the same imprisonment as yourself. The Austrian Ambassador's lady from Constantinople and the English gentlemen we have encountered so often are here, but it is to no purpose as you are forbid all communication with them. The situation of this Lazaretto is low and disagreeable, and you are very much annoyed with fleas and mosquitos, so that it is lucky the purgatory is short. We think it probable we shall purchase a German wagon and post it to Pesth, perhaps to Paris.

We left Lady Franklin at Constantinople, uncertain how soon she should join Sir John. She would like to remain there another month, but she would be guided by her husband's letter which she was expecting indicative of his wishes. Sir John has been at Patras settling Greek affairs, but he and the French ship have now retired and left them to their own devices. He is probably now returned to Corfu or Malta. If any of you have written lately it is not likely we shall receive your letters till we get to Paris, the last accounts from which represent it as the scene of bloodshed, the Duchess of Berri, and her son, against Louis Philippe.

Sir Stratford Canning speaking of Boston said, it resembled the old English society more than any place he had seen, indeed more than any part of England did now. The gentlemen of the different Embassies seemed to regard Constantinople as an honorable exile, and though the surrounding scenery and views from the Bosphorus are very beautiful, there is no society. A little formal intercourse among the diplomatiques, but they do not associate even with the wealthy merchants except occasionally; before their palaces were burned at Pera, they used to give balls to the inhabitants. But last winter there was only one given by the Austrian Ambassador, whose palace was the only one not destroyed by the fire. Young Hammond (son to the Minister formerly in America) attaché to Sir Stratford seemed very weary of the life he led here, but the English value these distinctions so much, they will make almost any sacrifice for them. Commodore Porter spoke of the disadvantages he was under in not having the rank of Minister Plenipotentiary, but merely charged with the affairs of the U. S. He is not permitted to see the Sultan, or to have interviews with him. He says however that he stands very well with him, but he thinks it owing to his being a naval man, which at this moment is regarded with peculiar favor. Both he and Mohammed Ali are very desirous of improving their navy. Our Govt. is too shabby in its allowance to its foreign

ministers. We ought to adopt a happy medium between our scanty salaries and the profuse and ostentatious expenditures of the English. Commodore Porter is a warm hearted, social man, and he makes a good deal of society of our missionaries, particularly Mr. and Mrs. Goodell, the latter of whom he thinks all but an angel. This worthy set of people have turned their attention to the establishment of schools as preparatory to the introduction of Christianity. Many persons who regard their efforts here as very beneficial, think it would be wiser if they were employed at home, and that there is sufficient field for their labors there. As far as I have seen this class of people they do not seem exposed to many privations, they adopt a simple mode of life, dress, manners, but consistent with comfort, and as they have their expenses rather than any fixed salaries, they are sure not to be in debt. I heard from Mr. Goodell a funny story about Mr. Wolff (Lady Georgiana's husband). He was taken prisoner by the natives near India and sold for sixteen shillings. The man who bought him considered him a bad bargain, and exchanged him for a greyhound, but his present owner said he would not work and was not worth anything, so he let some of his countrymen have him for a mere trifle, and they of course gave him his liberty. This traffic seemed rather derogatory to the dignity of man. I apprehend Mr. Wolff to be one of those who make the most of their natural eccentricities, for I have heard of his eating the whole of a pudding at a gentleman's table, and then observing that he wished they would remind him what he was doing when he was so absent. Generally speaking the American missionaries are held in most respect. Perhaps some of the others are less sincere. Mr. Coster, who has been with us as interpreter for the last three months, says that Mr. Jowett whose "*Researches in Syria and the Holy Land*" we took with us, came to see him when he was indisposed, and upon his showing him a swelling he had under his arm, took fright at the idea that it might be the plague, and probably to justify his own desertion of him, communicated his fears to the inhabitants of the house where he lodged, so that if it had not been for the interference of a Frenchman who had some knowledge of the healing art, he might have died of neglect. This specimen made him very bitter against them. Mr. Coster was a short lame man possessing that caustic humor which often belongs to those whom nature has marked. He was an excellent linguist, and a shrewd observer of mankind, but rather too much inclined to think almost everything humbug, nothing pure and disinterested. Lady Franklin and he had many discussions, without either party being convinced by the arguments of the other. Their characters were in strong contrast, hers bordered on the romantic and visionary, and having had a good deal of flattery, particularly from her own family, she could not realize

that all the civil offers of assistance, etc., were not sincere. However they got along very well notwithstanding their discordant opinions. She had a tenacity as it related to her own sentiments on all subjects, which sometimes accompanies those gentle manners in a greater degree than belongs to more uneven tempers, but at the same time she had seen so much of the world as not to expect to change others. Mr. Draften who expects his despatches before we are released from quarantine has offered to take this letter to London for me.

The PRESIDENT communicated a letter from John Quincy Adams to Andrew Stevenson, Speaker of the House of Representatives, which had appeared only in the *National Intelligencer*, at the time it was written, and added some explanatory remarks.

A year or so ago, I received a letter from Professor H. LaF. Wilgus, of the Ann Arbor University, calling my attention to a reference, in Judge Story's Commentaries on the Constitution, to a letter addressed by J. Q. Adams to Andrew Stevenson, Speaker of the Twenty-second Congress. The letter, it was there stated, had appeared in the *National Intelligencer* of July 12, 1832. Professor Wilgus now wished to consult it, and asked if a copy could be procured from the family files. I certainly had never heard of such a letter; or, if I had heard of it, my memory was at fault. No trace of it could be found in the family files, nor any reference to it in the published Memoirs of J. Q. Adams. Indeed, in the Memoirs<sup>1</sup> there is an editorial note to the effect that J. Q. Adams made no records in his diary between March 23 and December 1, 1832. This period of nearly eight months covered not only the time during which the letter referred to must have been written, but also the four months and more succeeding its publication. It was therefore necessary to have recourse to the files of the *Intelligencer*; the letter was there found, filling between five and six columns of the paper. Relating to controversies of the period in which it was written, and of the yet earlier period of Jefferson's administration, this Stevenson letter, though buried and wholly forgotten in the files of the *Intelligencer*, has still a distinct historical value. I accordingly caused it to be copied; and now, with

<sup>1</sup> Vol. viii. p. 502.

the approval of the Editor, submit it to the Society to be included in its Proceedings.

The circumstances of the preparation of the letter seem to have been somewhat as follows:— March 4, 1829, Mr. Adams was succeeded in the presidency by Andrew Jackson, and retired to private life. At the November election of the following year (1830) he was chosen to represent the Massachusetts congressional district known as the Plymouth district, and, as he wrote at the time, then became “a member elect of the Twenty-second Congress.” Thus drifting back, as he expressed it, “amidst the breakers of the political ocean,” he established a precedent,—an ex-President re-appearing in public life as a member of the popular legislative branch of that government of which he had recently been the executive head. The Twenty-second Congress met December 5, 1831, and Mr. Adams then took his seat. Andrew Stevenson, of Virginia, an administration or Jackson Democrat, was the same day elected Speaker by the House of Representatives, he having also been Speaker in both the two previous Congresses. His principal opponent was Joel B. Sutherland, of Pennsylvania, also a Jackson Democrat, “both,” as Mr. Adams wrote, “men of principle according to their interest, and there is not the worth of a wisp of straw between their values.”<sup>1</sup> Mr. Adams voted for John W. Taylor, of New York. The humorous side of the situation, so far as the new member from Massachusetts, *quoad* ex-President, was concerned, almost at once became apparent. First chosen Speaker in December, 1827, as the candidate of an intensely bitter opposition to the Adams administration, in forming the committees of the present House Mr. Stevenson plainly did not know what to do with the ex-President. With no precedent for its disposition, he had an elephant on his hands. In view of his long and varied diplomatic experience and his eight years’ tenure of the State Department, the proper place for Mr. Adams was obviously on the Committee on Foreign Affairs. To be named second upon that committee would perhaps, in the case of an ex-President, be regarded as *infra dignitatem*, but the chairman of that committee should clearly be in sympathy with the administration, which the ex-President was not. On the contrary, that no personal relations

<sup>1</sup> Memoirs, vol. viii. p. 431.



existed between General Jackson and Mr. Adams was notorious.<sup>1</sup> So, after full reflection, Speaker Stevenson had evidently reached the conclusion that he could not appoint Mr. Adams on the one committee to which he ought to be assigned. Where then could a place meet for him be found? A new member and counted in the opposing minority, he must yet be a chairman, and, if anyhow possible, chairman of an important committee. The times were troubled; the great issues were over the tariff and the United States Bank, with nullification an incident to the first. Though the great debate between Webster and Hayne had occurred just two years before (January, 1830), Calhoun, the apostle of nullification, still occupied the vice-presidential chair, while South Carolina was the following November (1832) to embody the new heresy in an ordinance. The "tariff of abominations," so called, passed in 1828, in the administration of J. Q. Adams, and consequently approved by him, was the prolific source of discord. This fact seems to have suggested to Speaker Stevenson a way out of his quandary. He availed himself of it. He appointed the ex-President chairman of the Committee on Manufactures, upon which committee, under the system of reference then in congressional vogue, would devolve the difficult task of dealing with the issues which the defiant attitude of South Carolina towards a protective tariff was rapidly forcing to the front. The assignment was, under the circumstances, at best obviously embarrassing; but Speaker Stevenson took good care in no way to ameliorate its asperities. The committee was composed of seven members; of the six beside the chairman, one only was in political accord with the ex-President; the remaining five were all Jackson Democrats, and, as such, had been his more or less bitter political opponents.<sup>2</sup> Three of the six had sat in the preceding Congress; three were new members. So far as Mr. Adams was concerned, the arrangement was courteous; for Speaker Stevenson it was apparently an adroit escape from an awkward

<sup>1</sup> *Memoirs*, vol. viii. p. 454.

<sup>2</sup> This apparently was not the first time that Mr. Stevenson, as Speaker, had thus manipulated the Committee on Manufactures. In the Twentieth Congress (1828-30) he had placed Rollin C. Mallary, of Vermont, a protectionist, at its head; "but, on all important test votes, five members of the seven acted with the opposition to the protective policy." Stanwood, *American Tariff Controversies*, vol. i. pp. 268, 269.

situation. Mr. Adams, however, seems to have heard the announcement with something closely resembling dismay. He at once recognized the position as one of high responsibility, and, perhaps, of labor more burdensome than any other in the House; but, he wrote, it is "far from the line of occupation in which all my life has been passed, and [a position] for which I feel myself not to be well qualified. I know not even enough of it to form an estimate of its difficulties. I only know that it is not the place suited to my acquirements and capacities."

Brought up in contests incident to the development of the idea of independence and, subsequently, of the rights of neutrals, involved in fierce controversies and intricate diplomatic entanglements growing out of the wars of Napoleon and the national hunger for territorial expansion, J. Q. Adams was no economist or financier. Questions of that class did not appeal to him, nor did he grasp their bearings. To such an extent was this the case that our associate Mr. Stanwood asserts that during Mr. Adams's administration no mention is found of the tariff in any of his messages to Congress;<sup>1</sup> and, in one of the debates now about to take place, he made an "astonishingly naïve remark" in which he referred to what had been one of the chief bones of contention in the tariff debates during his own administration as something of which he had only recently become advised.<sup>2</sup> General Jackson even, Mr. Stanwood further tells us, "had been supported in the North as a stanch tariff man, more earnest in the cause of protection than Mr. Adams."<sup>3</sup>

From the time of his return to America after the Peace of Ghent absorbed in official studies and duties, he had found, as he freely admitted, no time left in which to "pursue the progress of the Science of Political Economy." He had, he confessed, never looked into "Ricardo's book," and "knew nothing even of Malthus's Definitions."<sup>4</sup> And now he heard his name suddenly announced as chairman of the House Committee on Manufactures! What did he know about manufactures? About tariff schedules, what? Nevertheless, he

<sup>1</sup> American Tariff Controversies, vol. i. p. 275.

<sup>2</sup> *Ibid.*, p. 378.

<sup>3</sup> *Ibid.*, p. 386.

<sup>4</sup> See letter of J. Q. Adams to A. H. Everett, of April 15, 1830, *The American Historical Review*, vol. xi. p. 334.

forthwith proceeded with characteristic devotion to apply himself to the work in hand; and, so doing, he developed almost at once another humorous side, even if the humor of it was to him not apparent, in his new situation "amidst the breakers of the political ocean," — he was brought into sharp collision with his own Secretary of State of four years before when the Tariff of Abominations was enacted, for Mr. Clay, now in the Senate, was the recognized leader of the opposition, and its presidential nominee. When the two met at the Capital for the first time, both newly come back into public life, — the late Secretary in the upper legislative chamber, the ex-President in the lower, — Mr. Clay good-naturedly asked of Mr. Adams how it felt, this "turning boy again to go into the House of Representatives"; and on Mr. Adams telling him that so far the work was light enough, Clay repeated several times that when the House got to business, Mr. Adams would find the "situation extremely laborious." The only comment on this made by Mr. Adams was — "that I knew right well before."

In 1832 the national revenue was in excess of the requirements of the government, and Mr. Clay now suggested to Mr. Adams the expediency of increasing duties to such an extent as to discourage imports, thus reducing revenue. Mr. Adams's comments on the proposal were in several ways suggestive: —

"To increase the duties for the express purpose of diminishing the revenue was an idea well deserving of meditation, and which had not occurred to me.<sup>1</sup> I asked whether, in the gracious operation of remitting taxes, there would not be a mixture of harshness in extending the protective system, and a danger of increasing the discontents of the Southern States, already bitterly complaining of the unequal operation of the duties.

"He said the discontents were almost all, if not entirely, imaginary or fictitious, and in almost all the Southern States had, in a great measure, subsided. Here is one great error of Mr. Clay."

Two days later an informal tariff conference was held, and the two took part in it. In his account of what here occurred, Mr. Adams wrote: —

<sup>1</sup> The question had been discussed in its constitutional bearing by Mr. Webster, "in a form to attract public attention, twelve years before." See Stanwood, *Tariff Controversies*, vol. i. p. 341.

"Mr. Clay laid down the law of his system. He said the policy of our adversaries was obvious—to break down the American system by accumulation of the revenue. Ours, therefore, should be specially adapted to counteract it, by reducing immediately the revenue to the amount of seven or eight millions this very coming year. He would hardly wait for the 1st of January to take off the duties; and he would adhere to the protective system, even to the extent of increasing the duties on some of the protected articles.

"Mr. Clay's manner, with many courtesies of personal politeness, was exceedingly peremptory and dogmatical. There was some discussion of his statements, but nothing said in opposition to them."

Up to this point Mr. Adams had preserved silence; but it so chanced that, at his suggestion, the Committee on Manufactures had already assured the Secretary of the Treasury that there should be a prospective reduction of duties, not to commence until the extinguishment of the national debt, then a contingency not remote, and one which Mr. Adams had much at heart. On this came the clash. Mr. Adams rose and remarked that,—

"with regard to an immediate remission of duties, I ought in candor to state that the Committee on Manufactures of the House were already committed upon the principle that the reduction of the duties should be prospective, and not to commence until after the extinguishment of the national debt. If the proposed bill should pass the Senate, which I very much doubted, upon coming to the House it would be referred to the Committee of Ways and Means, who would probably report by way of amendment an additional reduction of seven or eight millions more. It must be distinctly understood that I could support, or vote for, no bill which would conflict with the pledge given by the Committee of Manufactures to the Secretary of the Treasury. I observed that an immediate remission of duties, with a declared disposition to increase the duties upon the protected articles, would be a defiance not only to the South, as had been observed by Mr. Everett, but defiance also of the President, and of the whole Administration party; and against them combined I thought it not possible that this bill should pass.

"Mr. Clay said he did not care who it defied. To preserve, maintain, and strengthen the American system he would defy the South, the President, and the devil; that if the Committee of Manufactures had committed themselves as I had stated, they had given a very foolish and improvident pledge; there was no necessity for the payment of the debt on the 4th of March, 1833; and much more of like import. To which I made a respectful, but very warm, reply. . . . It would be a

great and glorious day when the United States shall be able to say that they owe not a dollar in the world ; and this payment of the debt would obviate another difficulty suggested by Mr. Clay. There would certainly be no accumulation of revenue within that time. As to the bill, I thought it would be well to watch its progress with a vigilant eye. . . .

"There was then a proposition that the same committee which had prepared this bill should proceed to mature a plan for reducing the duties on the protected articles ; but Mr. Clay declined, and moved that the meeting should dissolve itself. He was evidently mortified and piqued. He had come to the meeting to give his little Senate laws. The meeting, with the exception of myself, was as obsequious as he was super-presidential."

Evidently the tilt had been a lively one, somewhat suggestive of certain episodes in the negotiations which preceded the Treaty of Ghent eighteen years before. Not for the first time had the two come into collision.<sup>1</sup>

Mr. Adams was a good deal disturbed over his passage with Mr. Clay. For reasons which would at once suggest themselves, he most earnestly wished to give his old associate and the present leader of the opposition to his successor in the White House no cause of offence. The next morning, therefore, he took occasion to ask Mr. J. W. Taylor, of New York, if in the conference he had in anything he had said given any just cause of offence to Mr. Clay. Not only had Mr. Taylor then sat in the House through nine Congresses, but, succeeding Mr. Clay himself as Speaker in 1820, he had again been chosen to the chair of the Nineteenth Congress. He was accordingly a high authority on such questions ; and he now allayed Mr. Adams's anxiety by assuring him that there had been on his part no disregard of amenities ; but he further intimated that as much could not be said for Mr. Clay, who "had come to the meeting a little flustered—he had been dining abroad, and talked more freely than he would reflect on with pleasure."<sup>2</sup>

This occurred on the 29th of December ; and now Mr. Adams's troubles began. On the 31st he received a letter from a South Carolina correspondent giving an account of the temper manifested by the legislature of that State, which, he remarked, "is atrocious." Then came articles from the

<sup>1</sup> Memoirs of J. Q. Adams, vol. iii. pp. 74, 129-136, 140-144.

<sup>2</sup> Memoirs vol. viii. pp. 448, 449.

Charleston papers representing him to have taken the Southern side of the question in the Committee on Manufactures. Finally Mr. Adams took his position in favor of a reduction of the tariff as a matter of compromise, —

“something must be given up on both sides ; there was so little of that spirit on either side that I had scarcely a hope of effecting anything ; but that I believed the plan of reduction ought to come from the Treasury Department, and I for one should be disposed to give to such plan every aid in my power, so far as should be consistent with my duties. I should certainly not consent to sacrifice the manufacturing interest ; but something of concession would be due from that interest to appease the discontents of the South.”

But the outlook now seemed to Mr. Adams very discouraging. Theretofore, he wrote, he had supposed the Union of the States was to last for ages ; but now “I disbelieve its duration for twenty years, and doubt its continuance for five. It is falling into the sere and yellow leaf.” And again, a few days later, —

“the conviction is pressed upon me more and more, from day to day, of my utter inability to render any valuable services to the country. I would not prematurely despair of the republic, but my forebodings are dark, and the worst of them is in contemplating the precipices before us — yawning at our feet from the very pinnacle of prosperity to which we have been raised and on which we stand.”

This was on the 1st of March. Meanwhile that laboriousness of the situation which Mr. Clay had two months before predicted for Mr. Adams was on a steady increase. He found himself utterly unable to guide or control the committee of which he was the head, — it was a case of “total disagreement on all sides.” The administration members wished to reduce the tariff, retaining a small duty on all articles ; while the single real political sympathizer Mr. Adams had in the committee, — Mr. Condict, of New Jersey, — as a follower of Mr. Clay, wanted an immediate and total repeal of duties on all unprotected articles ; coupled, not improbably, with a decrease of revenue through an increased duty on protected articles. The political manœuvre obviously was to prevent the early extinguishment of the national debt, while at the same time preserving unimpaired Mr. Clay’s “American system.” As usual, it was a strictly partisan situation with which Mr.

Adams found himself confronted; and he himself was not a partisan. Yet under these circumstances there devolved upon him the preparation of an elaborate report, introductory of an intricate bill, both dealing with great business interests he little understood. The economical issues involved were far from simple; but, simple or the reverse of simple, they were confused by political and constitutional considerations of the gravest character. In vain did Mr. Adams now seek to be excused from further service on the Committee on Manufactures, on the ground that he had been named second on a special committee just appointed to investigate the United States Bank, and must go with it to Philadelphia. Extreme unwillingness to excuse him was evinced; it was thought he might render "much service by conciliating the parties." Mr. Adams, however, insisted that he could accomplish nothing, — he found that he had "not the slightest weight with either of the parties." "My situation," he wrote, "is distressing deeply, without prospect of coming out of it creditably; but I cannot withdraw from it, and must abide by the issue." The diary entries continue until March 23. On the 22d he called a meeting of his committee. All but one member were present. "I read my two fragments of a draft for a report upon the modification of the tariff, — parts of which were satisfactory to one member and displeasing to another, other parts were the reverse. It was to no one entirely satisfactory." The next day he was in Philadelphia, with the special committee on the affairs of the United States Bank. On the 23d the diary entries cease. The committee remained at Philadelphia, in constant session, until the 17th of the following month. During this period brief daily memoranda only were made, from which full diary entries were at some future time to be written up. That time never arrived.

In the assignment of business, the House had referred to the Committee of Ways and Means so much of the President's message as related to "relieving the people from unnecessary taxation after the extinguishment of the public debt," while it had sent to the Committee on Manufactures so much as related to "manufactures and a modification of the tariff." The same subject was thus referred to two committees. George McDuffie, of South Carolina, was chairman of the Ways and Means. Thus of the two, so to speak, competing

committees having the same issues in charge, one had at its head a free-trade nullifier from South Carolina, the other a protectionist and constitutional latitudinarian from Massachusetts. The Committee on Ways and Means was apparently much more amenable to control than that on Manufactures. In any event, Mr. McDuffie forestalled the rival committee by submitting, February 8, a very long report contesting the constitutionality of a protective tariff. The Committee on Manufactures was more refractory; but at last, after infinite discouragement, Mr. Adams did actually succeed in bringing the members into something remotely resembling harmony. It was agreed that he might report a bill in general accordance with the views of Mr. McLane, then Secretary of the Treasury, providing for reform in the "tariff of abominations" in several important respects, and for a mild reduction in duties; but every member of the committee reserved the right to oppose the measure in whole or in part. As to the report which accompanied the bill, in submitting it Mr. Adams frankly stated that the committee had indulged him with permission so to do, but the document was to be taken as an expression of his views alone. Different members, he added, approved different parts of the report; but there was perhaps no member of the committee who approved the whole of it, except the reporter himself.<sup>1</sup>

The report and bill (Twenty-second Congress, First Session, House Report, No. 481) were not presented until May 23, fifteen weeks after that of the Ways and Means Committee, and, comparatively speaking, in the later stages of the session. It was a curious outcome. The defeated head of the last administration had become on the floor of the House of Representatives the exponent of the revenue views of the existing administration, and was advocating a measure most objectionable in essential respects to that party of opposition with which he in the main sympathized. The fact was that Mr. Adams, as subsequent events showed, gauged the existing national conditions far more correctly than did Mr. Clay. As he had recorded five months before, "one great error of Mr. Clay" lay in his belief that "the discontents [over the so-called American system] were almost all, if not entirely, imaginary or fictitious, and in almost all of the Southern

<sup>1</sup> Gale's and Seaton's Register of Debates, 1832, p. 3091.



States had, in a great measure, subsided."<sup>1</sup> The action of South Carolina only six months later was to prove the utter fatuity of this belief; but in the mean time the measure now proposed by Mr. Adams was the expression of "an earnest desire to conciliate and harmonize the adverse feelings and interests of the two divisions of the Union." "That their own views," Mr. Adams wrote on behalf of his committee, "will in all respects obtain the sanction of this House, or the approbation of the country, they cannot flatter themselves; but they would reluctantly resign the hope, that the principle of compromise which forms the vital spirit of the bill now reported, may be quickened in its progress through this and the other House of Congress to a solid adjustment of the great controversy which now agitates the nation."<sup>2</sup> So far as the particular measure now submitted was concerned this hope proved futile. The relief afforded was deemed inadequate; and the Act of July 14 1832 (the Adams tariff), like the previous Act of May 19, 1828 (the "Bill of Abominations"), was, by the South Carolina ordinance of the 24th of November following, declared null and void, and of no effect in that State. It then remained for Mr. Clay, recognizing at last the real facts of the situation, to bring forward in the following February the much larger and more comprehensive measure, which, framed in that "principle of compromise" declared to be "the vital spirit" of the bill reported by Mr. Adams, and on the lines laid down in the report of May, 1832, allayed for a period of nearly thirty years the irrepressible conflict between the systems and sections. The interval thus gained was, too, vital; it afforded scope for the growth and development of that railroad system which through private corporate enterprise in due time first supplemented, and then supplanted as a binding ligament in the Union of the States, that system of internal improvements on which Mr. Adams set such store and which he had so much at heart. The unexpected again occurred.

It was on the 23d of May that the Committee on Manufactures submitted its report; and now another humorous side of the situation developed itself. Andrew Stevenson was a typical Virginian of the states rights and strict construction school. Like most of that school, believing in State sovereignty, he held

<sup>1</sup> *Memoirs*, vol. viii. p. 448.

<sup>2</sup> *Report*, No. 481, p. 28.

nullification to be a heresy; but he was no friend of Clay's American system, and he was wholly opposed to internal improvements. Mr. Adams, on the contrary, was a strong advocate of internal improvements. From an abstract, politico-economic point of view, his reasoning and conclusions were undeniably crude. Not standing the test of analysis, Adam Smith would distinctly have reprobated them. None the less, in their practical connections with existing conditions, both political and material, there was much to be said in their favor. In 1832, it must be remembered, corporate action was in its infancy; they were as yet experimenting only with steam power; electricity was a toy of the scientist; the Union hung very loosely together. So, with a view to a more firmly cemented country, Mr. Adams looked on the tariff as a source of revenue to be expended in what he regarded as the all-important work of furthering internal improvements. Studying the problem from the point of view of a statesman, and not from that of a theorist or college professor, he kept three ends steadily in view: — (1) the extinction of the national debt; (2) a tariff concession to meet the reasonable requirements of the agricultural and slave States; and (3) the vigorous development of a system of public works: and, of these, the last depended on whether the Constitution was interpreted in a strict or a liberal spirit. He read the Constitution broadly, and in the light of the first two decades of the century, — the Embargo, the War of 1812, and the Hartford Convention. A unionist, he believed in a strong and beneficent central government. His report was so framed; and Speaker Stevenson found reason to conclude that he had made a mistake in his assignments, — he had much better have put the ex-President on the Foreign Affairs committee, and there left him to settle as best he could his personal differences with the Jackson executive. As it was, his elephant had assumed the aspect of a bull, loose and altogether unmanageable, making havoc among the Virginia bric-à-brac of the constitutional china-shop. But the mischief was done; it only remained to administer whatever most potent of correctives might be at hand. So Mr. Speaker Stevenson, like a true Virginian, bethought himself of the authority of Mr. Madison as a strict constructionist, and produced a letter from that ex-President, then in retirement, written in 1830 and controverting *in toto* the latitudinarian constitutional

views emanating from his successor, as now set forth in the highly objectionable report of the Committee on Manufactures. This letter presently appeared in the columns of the *Richmond Examiner*, and naturally attracted much attention. Coming from Mr. Madison, it was well calculated to call out Mr. Adams, for to President Madison he had been under great political obligations. It was Madison who had sent him to Russia in 1809; it was Madison who had appointed him at the head of the commission which negotiated the Treaty of Ghent in 1814; it was Madison who, the same year, had named him for the English mission; and now to have the Speaker of the House of which he was a member invoke Mr. Madison's great authority to stamp his utterances as heresies was more than he could submit to in silence. Here too he was in his element. The question was no longer one of tariff schedules; it involved an interpretation of the fundamental law. For that discussion Mr. Adams felt himself well equipped. So, undismayed by the labors he already had on his hands, he incontinently set to work on a rejoinder.

Though, as already stated, there are no regular diary entries made by Mr. Adams covering the very interesting period preceding the passage of the tariff of 1832 and the subsequent enactment by South Carolina of the ordinance of nullification, Mr. C. F. Adams is hardly correct in saying that there is here "a blank in the record, spreading over eight months."<sup>1</sup> On the contrary, every day during those eight months has its record in the handwriting of Mr. Adams, though sometimes the entries are only a few lines in length, written in characters so tremulous as to reveal painfully an overwrought physical as well as mental condition. Mr. C. F. Adams very properly deemed these memoranda not sufficiently perfect for publication; and yet as early as the 5th of July, eleven days before the adjournment of Congress brought relief, they assume the shape of a diary record, and so continue until December, when their publication is resumed in the printed *Memoirs*.

Some of these earlier memoranda throw light on the Stevenson letter; a few of them have by time now become otherwise interesting; as also are passages in the familiar letters written by Mr. Adams at this period to members of his family.

<sup>1</sup> *Memoirs of J. Q. Adams*, vol. viii. p. 502.

The question of a renewal of the charter of the United States Bank was before Congress. The special committee to look into the affairs of the bank went to Philadelphia March 23, and Mr. Adams did not get back to Washington until April 17. From Philadelphia he wrote to Mrs. Adams, March 31 :

"My next call was upon Judge Hopkinson . . . While I was there Count de Survilliers came in, with his nephew, recently arrived; the youngest son of Lucien Bonaparte, about sixteen years old.<sup>1</sup> The newspapers have noticed his arrival in this country; and his resemblance to the portraits of Napoleon in his early years. This likeness is remarkable.

"The Count in a conversation of two or three hours, gave us a free and unreserved account of the present condition of the Bonaparte family; and spoke of himself, and his brother Napoleon, with a sort of historical impartiality — He talked much of the older and junior branches of the House of Bourbon — He thinks that the reign of Louis Philippe will not be of long duration. That if he had taken the precaution immediately after the revolution of July, 1830, to obtain an election by the People, he might have stood firmer on the throne. As he did not attempt this the Count supposes that there was about three months afterwards a very favorable prospect for the son of Napoleon and of Marie Louise — but *now*, that the tendencies are all to a Republic. His discourse rather indicates a spirit of despondency. He related the substance of the intercourse between him and General Lafayette when he was here, some part of which was altogether new to me."

5 April: — "From the debate in Senate, on the Bill reported by the Committee on Manufactures, and from the laying of that Bill on the Table, by the votes of its friends, I conclude that they have at last discovered, what I thought very discoverable in December as I then told them — that they cannot carry such a Bill even through the

<sup>1</sup> Joseph Bonaparte (1768-1844), ex-King of Spain, had travelled under the name of Survigliieri; after coming to America, where he arrived in September, 1815, he adopted the name and title of Comte de Survilliers, from a small village so called near Mortefontaine, the estate formerly owned by Joseph in the department of Oise, some twenty miles from Paris in a northeasterly direction. The son of Lucien Bonaparte referred to was Pierre-Napoleon (1815-1881); his younger brother, and the youngest son of Lucien, Antoine (1816-1877), was at this time on his way to America, but did not arrive until after his uncle had sailed for Europe (July 20, 1832). Pierre-Napoleon in July, 1832, went to South America, where he served for a short time in the army of General Santander, President of New Grenada. Returning to Europe, he attained, after a roving life of adventure and towards the close of the second Empire, an unpleasant notoriety by shooting and killing the editor, Victor Noir, at Auteuil (January 10, 1870). He died at Versailles, April 7, 1881.

Senate. And indeed from the day of the appointment of this Bank Committee, I have been fully convinced that no serious Tariff Question will be settled at this Session of Congress — as the South Carolina nullifiers have given notice that *if* the Tariff is not modified this Session, *they* will act, I am inclining to the opinion that it will be as well to give them the opportunity to make good their threat. If they do, it will relieve us from the necessity of reducing the duties at all, for instead of superfluous revenue we shall be much more likely to suffer from a deficiency. If they do not, I have a lingering hope that the next Session will be more favourable to the adjustment of the Tariff question peaceably than the present. I catch like a drowning man at a straw at anything that may relieve me from the enormous responsibility under which they have affected to place me on the subject by attributing to me an influence which they well know I do not possess, either over themselves or others."

April 19, to C. F. Adams, then living in Boston : —

"I came from Philadelphia on Monday — through in one day — to the honour and glory of Steam-boats and Railroads; and without getting my neck broken — no thanks to the Bladensburg Bridge, where we came within an inch of it.<sup>1</sup>

"I have fallen as the vulgar adage has it from the frying pan into the fire. From trying the Bank at Philadelphia I came, and find myself trying Samuel Houston, ex-member of Congress — ex-governor of Tennessee — ex-Chocataw Indian and so forth, for a breach of the privileges of the House by an assault upon William Stanberry, a member of this House.<sup>2</sup> We are in the midst of it; but as the Printers can no more than the Players keep counsel, I shall leave it to them to tell you the tale."

<sup>1</sup> The following memorandum in the diary refers to this incident : — "With Ellis, Ritchie and six others I took immediately a stage of the line of Stockton and Stokes and came to Washington. We narrowly escaped broken necks in crossing the Bladensburg fountain bridge. One horse fell and the carriage was within an inch of being thrown over into the brook. We went round by the Navy yard to land Mr. Ellis, and at ten minutes before midnight I reached home."

<sup>2</sup> William Stanberry, of Ohio, member of Congress from 1827 to 1833. A very bitter partisan, Mr. Stanberry had in a speech in the House charged Houston with an attempt to obtain a fraudulent Indian-ration contract. On the night of April 18, 1832, there was a rencontre between the two men on Pennsylvania Avenue. Houston addressed Stanberry, whom he recognized in the moonlight, and "no sooner had the answer escaped Stanberry's lips than Houston, as he was unarmed and had no time to close, levelled him to the ground, shivering his hickory cane upon his head. A pistol, held to the breast of Houston by the member from Ohio, had snapped, but missed fire." The affair led to a long legislative investigation, and proceedings in the criminal courts of the District. The legislative investigation resulted in an order of a reprimand, to be administered to

May 16, to C. F. Adams : —

"The House of Representatives do not meet to-day. They will be occupied in following one of their members, Mr. Hunt of Vermont, to the House appointed for all the living; and I have been all the morning with the Committee on Manufactures concocting a new Tariff Bill. Bank, Tariff and Apportionment absorb so totally my time that I have scarcely any left to think even of Heaven. The Transactions here for the last week will be apt rather to remind you of another place.

"A copy of my Bank investigation report as published in the National Intelligencer, was sent you yesterday morning, and you may see in that paper of this morning that Judge Clayton,<sup>1</sup> the worthy Chairman of the Committee, declares his determination to make a personal affair of it. But you need not be alarmed for my safety, notwithstanding the introduction of Hickory Club and Pistol-bullet Law into Congress. The Judge intends only to answer my reasoning and prove himself a better Poet than I am.

"If the Bank has brought me into all this trouble, how am I to get along with the Tariff? I expect to report a *Bill* tomorrow; but what is to become of it and of myself for reporting it, is in the Council of higher Powers. My Bank report extinguishes all the fire of my Southern friends — I suppose the Tariff Bill will demolish me in the North — and then —

"Why then for the Biography of the last, and the Oaks of the next Century?"<sup>2</sup>

May 23. To Mrs. Adams : —

"Yesterday was the day of my deliverance of the Tariff Report and Bill. Deliverance — that is from the Committee to the House. What the fate of the Bill will be there, is doubtful. I think it will be lost, and am not over anxious for its fate. . . .

"We have had no more Pistol, Dirk and Hickory Club law since the Houston by the Speaker, at the bar of the House. The order was carried by a party vote. The criminal proceedings resulted in the imposition of a fine of \$600, the payment of which was ultimately remitted as one of the last acts of Jackson's presidency. Crane, *Life of Samuel Houston*, vol. i. pp. 42-44. Houston's victory at San Jacinto occurred four years later, April 21, 1836.

<sup>1</sup> A. S. Clayton (1788-1889), of Georgia, member of Congress from 1832 to 1835. Reputed to be the author of the political pamphlet "*David Crockett's Life of Van Buren*."

<sup>2</sup> The reference is to a biography of his father on which Mr. Adams had already begun, and the fragment of which prepared by him C. F. Adams subsequently, in 1855, incorporated in his edition of the *Life and Works of John Adams* (see Preface to vol. i.). At Quincy Mr. Adams was much interested in tree planting, especially in a nursery of oaks. He had a seal cut with oak leaves and an acorn as emblem, and the motto *Alteri Secula*. See *Memoirs*, vol. viii. p. 548.

affair of Arnold,<sup>1</sup> but as usual some newspaper War. A large number of members of both Houses of Congress have been several days absent at the Van Buren Vice Presidential Convention at Baltimore."

In brief diary memoranda under date of May 30 and 31:—

May 30:—"Committee on Manufactures. I was directed to move in Committee of the Whole to lay aside McDuffie's bill and take up ours. H. R. U. S. Crawford finished his speech, attacked my report. I moved that the bill should be laid aside. Discussion upon the point of order. Sutherland moved to strike out the first section of McDuffie's bill. Appleton's speech in reply to McDuffie. Quotations from Malthus, Senior, Ricardo, and McCulloch."<sup>2</sup>

May 31:—"I attempted to write this evening but was obliged to desist and go to bed. This oppression of toil is greater than I can bear."<sup>3</sup>

June 4:—"Adjourned at 4. Dined with Carson.<sup>4</sup> Company of about 30. Calhoun, Clay, Webster, Poindexter, Bibb, Hayne, Wickliffe, Daniels, W. R. Davis, N. Biddle and others. A strange assortment."<sup>5</sup>

<sup>1</sup> Thomas D. Arnold (1798-1870), of Tennessee, member of Congress from 1831 to 1833 and from 1841 to 1843. On the 14th of May, 1832, he indulged in a course of debates in severe denunciations of a certain Major Morgan A. Heard. As he was leaving the Capitol the same day, he was attacked by Heard, who wounded him with a bullet fired from a horse pistol, and struck him with a cane. Mr. Arnold knocked Major Heard down, took away his pistol as a trophy, and left him helpless on the ground.

<sup>2</sup> Nathan Appleton (1779-1881), of Massachusetts, member of the Twenty-second and Twenty-seventh Congresses. Mr. Appleton was an authority on questions of tariff, currency, and banking. He supported the bill of the Committee on Manufactures. See his own account of the speech of May 30th referred to in the text in *Proceedings*, vol. v. pp. 277, 278.

<sup>3</sup> Mr. Adams at this time had no secretary, and with the conveniences and appliances at his command it is difficult to see how he did the work voluntarily assumed or imposed on him. He wrote slowly, and, owing to a steadily increasing tremor of the hand, probably writer's palsy, with great difficulty. During this session, beside attending to his own daily correspondence, he prepared three elaborate reports, or letters, (1) on the tariff and manufactures, May 23; (2) on the Bank of the United States, May 14; and (3) the letter to Mr. Stevenson, July 12, — in all over one hundred and twenty closely printed pages; this, in addition to constant committee work and legislative attendance. He accomplished what he did only by rising always at 5 A. M., and working steadily until he went to the Capitol. His diary he had to abandon. Apparently what he wrote was never copied, and went to the compositor with little revision. It was a case of first impression, and a slowly flowing pen.

<sup>4</sup> Samuel P. Carson, of North Carolina, member of Congress from 1825 to 1844.

<sup>5</sup> Of those named, the first six were in the Senate: Mr. Wickliffe (1788-1869) was a Representative from Kentucky; Mr. Daniels (1793-1873) was also

June 6. To C. F. Adams:—

"I am unable to write or even to think of anything relating to my private affairs. I am weary of the Session of Congress, and never was so much harassed in my life. It is becoming more than I can bear, and if I can come out of this Session of Congress with a sound intellect, I will never, I think, be so swallowed up with business again.

"Tell your Mother that I am now at midnight dropping asleep over my paper; to be up again at five in the morning."<sup>1</sup>

June 14:—"Left the House at 6. Company to dine. J. C. Calhoun, H. A. S. Dearborn, E. Everett, T. L. McKenney, G. McDuffie, C. F. Mercer, Mr. Silsbee, G. C. Verplanck, J. G. Watmough, D. Webster and Jos. M. White. Calhoun came late. White's Turtle and Fox-grape wine.<sup>2</sup> But where is the precious Time?"

June 18:—"Tariff Bill. Davis's amendment modified. Drayton and Hoffman against it—and Polk—rejected. Amendments in details. Many on the articles of wool and woollens. Turbulent and tumultuous scene. Adjourned between 8 and 9 in the evening."

June 24:—"Visit to G. McDuffie<sup>3</sup> and to J. C. Calhoun. Long conversation with Calhoun upon Constitutional questions and Nullification."

June 25:—"Debate on Resolution for adjournment. Threats of dissolution of the Union. My reply. Called to order by the Speaker. House pass to the orders of the day."

June 28:—"Tariff Bill. McDuffie's speech of three hours against it. Previous question moved by Heister.<sup>4</sup> Call of the House.

a Representative from Kentucky; Mr. Davis (1798-1885) was a Representative from South Carolina; Nicholas Biddle (1786-1844) was President of the United States Bank, then seeking a renewal of its charter. Passed by Congress, the measure was vetoed by President Jackson July 10, 1832.

<sup>1</sup> Mrs. Adams was at Quincy.

<sup>2</sup> Joseph M. Witte, of Florida, member of Congress from 1825 to 1837.

<sup>3</sup> George McDuffie (1788-1851), then a Representative from South Carolina. As chairman of the Committee on Ways and Means of the Twenty-second Congress, Mr. McDuffie, while a bitter opponent of the tariff, favored a renewal of the charter of the United States Bank. At that time there was, as already noted, a degree of rivalry between the two committees, Ways and Means, and Manufactures, and, besides being an advocate of nullification, Mr. McDuffie and Mr. Adams were opposed to each other in the debate on the tariff. Both were members of the committee sent to Philadelphia to investigate the United States Bank. From Philadelphia Mr. Adams had written to Mrs. Adams on April 5:—"I have taken a particular liking to Mr. McDuffie. From the commencement of this session of Congress you know that not a word had passed between him and me, until we were brought together on this Committee. We are now *almost* friends. There are traits in his character, which disclose themselves upon approaching intimacy, and which conciliate esteem and attachment."

<sup>4</sup> William Heister (1791-1863), of Pennsylvania, member of Congress from 1831 to 1837.



"Bill passed 65 to 132. I moved to amend the Title. W. R. Davis moved a further amendment. E. Everett<sup>1</sup> the previous question which was carried. I told Everett I did not thank him for that. The House soon after adjourned."

June 29: — "Call on D. Webster, with papers relating to the Tariff Bill. Long conversation with him. . . . Dined with N. Biddle at Gadsby's. H. Clay, McDuffie, Daniel, Crawford,<sup>2</sup> Banks,<sup>3</sup> Bullard,<sup>4</sup> Watmough,<sup>5</sup> etc. were of the company. Jovial. I came home about 10 P. M. I am under an agitation of mind which I sometimes fear may unseat my reason. *Nullum Numen adest, ni sit Prudentia.*"

That day he wrote to Mrs. Adams: —

"I have been chained to my seat in the House nearly three weeks upon my Tariff Bill (as they call it) from ten in the morning till 7-8-9-10 at night; and yesterday afternoon, after a speech of three hours by Mr. McDuffie against it, the bill passed the House, by a majority of more than two to one — 132 to 65. Mr. Appleton, Gen. Dearborn<sup>6</sup> and Mr. Reed<sup>7</sup> of the Massachusetts Delegation voted with me *for the bill*. The rest of the Delegation against it. They, and the Southern Nullifiers could not swallow it. The Administration party fought inch by inch against every amendment, most of which were carried against them — and at last they voted for the Bill. It is now before the Senate — and what will become of it then — who can tell? It goes to them like wormwood — I hope they will not send back to the House gall. It is, in spite of all you have heard about it, now a very good bill — and so think and say no small number of those who voted against it."

July 5: — "Violent attacks on me in the Boston Courier and the Richmond Enquirer.<sup>8</sup> Dearborn showed me a letter he had written to J. T. Buckingham."<sup>9</sup>

<sup>1</sup> Edward Everett (1794-1865) was member of the House from 1825 to 1835; in the Senate 1853-1854.

<sup>2</sup> T. H. Crawford (1786-1863), of Pennsylvania, member of Congress from 1829 to 1833.

<sup>3</sup> John Banks (1798-1864), of Pennsylvania, member of Congress from 1831 to 1836.

<sup>4</sup> H. A. Bullard (1781-1851), of Louisiana, member of Congress from 1831 to 1834, and again from 1850 to 1851.

<sup>5</sup> J. G. Watmough (1798-1861), member of Congress from 1831 to 1835.

<sup>6</sup> General H. A. S. Dearborn (1783-1851), member of Congress from 1831 to 1833. General Dearborn represented the Roxbury district.

<sup>7</sup> John Reed (1781-1860), member of Congress from 1821 to 1841, representing the Cape district; Lieutenant-Governor of Massachusetts from 1845 to 1851.

<sup>8</sup> The Richmond Enquirer represented the views of Speaker Stevenson.

<sup>9</sup> Joseph T. Buckingham (1779-1861), founder of the Boston Courier, which he edited from 1824 to 1848.

July 6:—"I went into the Senate, and heard the debate on the amendments to the Tariff Bill reported by their Committee on Manufactures. The first great struggle was for the Woollen Minimum. Clay and Webster made their great concerted effort to carry them. Answered by Hayne, Tazewell, S. Smith and Benton. Chambers apologized for voting against the minimum. Frelinghuysen said they were odious. Dallas, Wilkins and Douglas voted for them. Marcy against them. Rejected 24 to 23. The whole amendment rejected. Other amendments carried, and some rejected 24 to 24 by casting vote of Vice President.<sup>1</sup> Motion to raise woollen manufacture from 50 to 60 per cent *ad valorem* failed. Then Webster moved 57 per cent which was carried, Tipton of Indiana turning the scale. I came home about 6 P. M., leaving the Senate still in session. The House had adjourned before 3 for want of a Quorum."

July 8:—Sunday. "Bath with John<sup>2</sup> this morning in Potomack. . . . Heat insupportable. . . . Bank Veto Message in suspense. Almost disabled from writing. . . . After a day of tremendous heat there was this evening a heavy thunder gust. . . . Received a note from Mr. Webster returning my bundle of papers relating to the Tariff Bill. The Bill passed to the third reading last evening in Senate by a Majority of 31 to 15. I am still under deep anxieties concerning it. John S. Barbour<sup>3</sup> told me that the only reason for his voting against it was that he found it a Van Buren Bill."

The next three entries, those for July 9, 10 and 11, are more interesting, and, so far as they relate to public events, I give them in full:—

"9 v. Monday, 1832:—The Resolution for the appointment of a day of prayer on account of the cholera, was debated. I finally withdrew my appeal from the decision of the Speaker, who by an artifice of form evaded the direct question I had made. Stanbery reflected upon the Speaker more directly. Bell's motion to recommit and amend the Resolution prevailed. Tariff bill came from the Senate with amendments. I moved their reference to the Committee of Manufactures. They were referred to the Committee of the Whole on the State of the Union. Foster moved to suspend the rules to move a Resolution of censure upon Stanbery for his charge against the Speaker—nearly carried. Recess from 3 to half past four o'clock. Dined with J. W. Taylor. Sent an excuse to Mr. Clay. Afternoon session. Commit-

<sup>1</sup> J. C. Calhoun, of South Carolina.

<sup>2</sup> Second son of Mr. Adams. Born in Boston July 4, 1803; died in Washington, D. C., October 23, 1834; H. U. 1823.

<sup>3</sup> John S. Barbour (1790–1855), of Virginia, member of Congress from 1823 to 1833, and a member of the Committee on Manufactures.

tee of the whole on the State of the Union. Amendments of the Senate to the Tariff Bill passed through committee of the Whole. Some agreed, others disagreed to — reported to the House. Adjourned at 8 P. M. Went to Mr. Clay's. Found him and his company at the dessert. Mr. Rush<sup>1</sup> came home with me. Conversation with him.

"10. v. Tuesday. H. R. U. S. Found the house in Session, debating the Resolution proposed by Foster of Georgia to censure Stanbery for charging the Speaker with shaping his course to obtain office by seeking favour at the Palace. Question of order depending. Clay of Alabama<sup>2</sup> in the chair. Stanbery's words were not taken down when spoken. Clay decided that the motion for censure was in order. Mercer appealed and the question of order was debated till the orders of the day were called for and carried by yeas and nays. Tariff bill amendments of the Senate. Report from Committee of the Whole debated in the House. The principal amendments were disagreed to. Drayton's motion renewed. Speaker declared it in order. Bullard appeals. Decision of the Speaker reversed by the House 81 to 78. Previous question excluded me from speaking on the increase by amendment of the Senate from 50 to 57 per cent duty on high priced woollens. House adjourned at 5 P. M. The President's negative on the Bank Charter Bill was sent this morning to the Senate. M. Van Buren arrived here Sunday evening and lodged at the President's. Was in the House this morning.

"11. v. Wednesday — 65 years of age.

"H. R. U. S. House in Session. Foster's Resolution of censure upon Stanbery debated. I spoke against it. Stanbery moves that Clay leave the chair. Words taken down. Polk's motion, words and conduct. Speaker Stevenson takes the chair — debate goes back to Foster's Resolution. Previous question carried. On my name being called I asked to be excused from voting for reasons assigned in writing. House refused. My name called again. I declined voting. Motion to reconsider the vote refusing to excuse me taken by yeas and nays. House refuse to reconsider. I still decline voting. Some confusion. Drayton<sup>3</sup> moves two Resolutions, — 1, charging me with violat-

<sup>1</sup> Richard Rush (1780-1850), of Philadelphia, son of Dr. Benjamin Rush, signer of the Declaration and the intimate personal friend and correspondent of John Adams. The relations of Richard Rush with J. Q. Adams were likewise both official and personal.

<sup>2</sup> Clement C. Clay (1789-1866), member of Congress from 1829 to 1835. He was father of Clement C. Clay, junior, subsequently a Senator of the United States from 1853 to December 10, 1860, and prominent as a Confederate during the Civil War and subsequent thereto.

<sup>3</sup> William Drayton (1776-1846), of South Carolina, member of Congress from 1825 to 1833. Though opposed to the tariff, he resisted the nullification movement; and, after retiring from Congress, he left Charleston, removing to Philadelphia, where he died.

ing a Rule of the House. 2, a committee to enquire what is to be done. After some debate consideration of these resolutions postponed. Question on Foster's Resolution by yeas and nays carried. Bullard — Daniel — Nuckolls — I moved a committee to meet committee of conference from the Senate on the Tariff Bill — Archer<sup>1</sup> objected to my being on the Committee. I assent — but insist that the committee of the House, like that of the Senate, should be of members on both sides. Adjourned before 3 P. M. I went into Speaker Stevenson's chamber, and told him there would appear in the National Intelligencer tomorrow morning a Letter from me to him; written in consequence of the publication with his authority of a letter from Mr. Madison to him; and which Letter the publisher affirms overthrows the heresy contained in my Report from the Committee of Manufactures. He seemed a little nettled at this notice — professed great respect for me, but admitted that he had furnished this Letter of Mr. Madison's to Ritchie at his request to refute the doctrines of my Report. Stevenson always disclaims intentions while he admits the facts which prove them. He was now very full of professions of respect for which I thanked him. . . . I commence the sixty-sixth year of my life in great distress of mind.

"12, v. Thursday. My letter to Andrew Stevenson, Speaker of the House of Representatives of the United States, was published in the National Intelligencer. I went to the Capitol shortly before the meeting of the House to see that the Journal of yesterday's proceedings in the House should be correct. There was one error which I pointed out to the Clerk, and which he corrected. H. R. U. S. Drayton's two Resolutions against me were soon taken up — Motion by Edward Everett to lay them on the table rejected 59 to 63. Motion of C. F. Mercer<sup>2</sup> to postpone them to 1 September not put. Motion of J. W. Taylor to postpone them till next Monday — debated — I charged Drayton himself with violation of Rule 20 in making his charges against me yesterday from another seat than his own — The Speaker instantly decided contrary to the Rule, that Drayton had been in order. Drayton began to speak and soon got out of order. I called him to order, and the Speaker decided that he was out of order. McDuffie moved that the two Resolutions should be referred to a committee, to which I objected — Wayne moved they should be laid on the table. Carried. Much miscellaneous business then quietly transacted. House adjourned at 6:5. . . . L. M'Lane called me out in the House. Said Mr. Clay had notice that the Tariff Resolution calling for a plan was in M'Lane's handwriting."

<sup>1</sup> William S. Archer (1789-1855), of Virginia, member of the House from 1820 to 1835, and in the Twenty-second Congress chairman of the Committee on Foreign Relations; Senator from 1841 to 1847.

<sup>2</sup> Charles Fenton Mercer (1778-1858), of Virginia, member of Congress from 1817 to 1839. An active protectionist, Mr. Mercer was an anti-slavery advocate.

The following day he wrote to Mrs. Adams from his desk in the Representative Chamber : —

"I wrote you on my birthday under a threatened resolution to expel me from this House or to commit me to the custody of the Sergeant-at-arms — Preparatory Resolutions to which had that day been moved by Col. Drayton. The majority of the House were in a towering passion with me for declining to vote upon what I thought an unconstitutional question.

"The next morning the House cooled down wonderfully, and after duly trying my temper, voted by a large majority to lay Col. Drayton's Resolutions on the table. . . . The pressure upon body and mind has been too much for me; but I am light-hearted, and hope to leave here next Tuesday morning. The cholera at New York has fixed so firmly the objections of our children to going on with me that I have ceased to urge them. . . .

"My Tariff Bill, after running through half a dozen gauntlets, has passed by triumphant majorities of more than two to one in both Houses of Congress, and now, after the most desperate efforts to run me down for reporting it, and to drive me from my purpose of supporting it — now, Mr. Clay's partizans are beginning to claim it as his bill; as he himself does, in his last speech before voting for it. The National Republicans are to claim for him all the good, that may come from it, and lay upon the unsound, unpracticable man, whatever evil may result from it. He has had a sharp skirmish with Benton about the Bank veto.<sup>1</sup>

"13, v. Friday. H. R. U. S. I presented a Petition from Hume Bell offering to sell a secret for curing the cholera for 100,000 dollars. Laid on the table. Offered a Resolution for a new Rule for transacting business in the House — about words spoken in debate — To lay over one day — Everett offers a Resolution for purchasing copies of Elliot's Debates and Illustrations of the Constitution. Lays over a day. Motion to suspend the rule for transacting private business this day and to-morrow — Lost — Great number of private Bills acted upon. Senate receded from their disagreements and agreed to the Amendments of the House to theirs. Bill has thus passed both Houses. Senate announced the veto of the President upon the Bank Bill. House sat till 3 P. M. Then took a recess till 5. I walked home. House met at five and sat till eight. Private bills — a number passed — several rejected — Rebecca

<sup>1</sup> "Clay assailed Benton vehemently as the bitter foe of Jackson in former times, and alluding to a duel they had once fought, whose marks Benton still carried on his person, taunted him with having said, in 1825, that if Jackson were elected President, our legislators would have to guard themselves with pistols and dirks. Benton pinned the charge as 'an atrocious calumny,' and an angry scene followed." (Schouler's *United States under the Constitution*, vol. iv. p. 70.) See, also, Benton, *Thirty Years' View*, vol. i. pp. 263, 264.

Blodgett's Bill passed — Candles lighted — No Quorum — Adjourned after 8 P. M. I came home fagged. . . . Quarrel in the Senate between T. H. Benton and H. Clay."

Congress having adjourned at 8 A. M. of Monday, July 16, Mr. Adams prepared at once to join Mrs. Adams, who, two months before (May 16), had left Washington and gone to Quincy. The diary of the journey of an ex-President and member of Congress from the seat of government to his Massachusetts home seventy-four years ago reads curiously now, and is for that reason perhaps worth reproducing; though, in the present case, it has no connection with or bearing upon the Stevenson letter. The cholera visitation of 1832, so frequently referred to, was, it will be remembered, the first of its kind in America. It broke out in New York, and was there raging in July. The diary entries of Mr. Adams, made evidently from day to day, are as follows: —

"17, v.<sup>1</sup> Tuesday. From Washington to Baltimore. Morning occupied in preparation for departure. At one o'clock P. M. a stage coach of the Line of Stockton and Stokes took us up, my son John and me, and proceeded to the lodgings of Mr. Edward Everett who had engaged the carriage for himself and his family and with whom I had agreed to go. . . . Mr. and Mrs. Everett, with their four infant children, Ann, Charlotte, Grace Webster and Edward with a nurse, joined us in the stage, and just at sunset we alighted at Barnum's Hotel at Baltimore. Isaac Munroe, Editor of the Baltimore Patriot, was standing at the door. He gave me a handbill just published with accounts from New York of yesterday morning, 163 new cases of the spasmodic cholera and 36 deaths in the 24 hours ending Sunday noon. 5 cases yesterday at Philadelphia — I had two or three visitors in the course of the evening, among them Mr. Jenifer of the House of Representatives — The Anti-Jackson meeting at Philadelphia yesterday is said to have been about 7000 in numbers.

"18, iv. 30. From Baltimore to Philadelphia. Wednesday.

"At six this morning we took the steamboat Independence Captain Jeffries, and at eleven landed at the Railway below Frenchtown. Twenty-five minutes in passing and conveying our baggage from the Boats to the Cars — one hour and thirty-five minutes in crossing to Newcastle — at one embarked in the steamboat William Penn, and at a quarter before four landed at Chestnut Street wharf, Philadelphia. We had as fellow passengers, besides Mr. Everett and his family, Mr. and Mrs. Tomlin-

<sup>1</sup> The Roman numeral, and figures preceding, in the diary of Mr. Adams indicate the time at which he got up. In July it was usually about sunrise.

son of Connecticut, Mr. and Mrs. Burgess of Rhode Island, Messrs. Cooper and Hughes of New Jersey, J. W. Taylor of New York, Slade of Vermont and Kavanagh of Maine. I had much conversation with Kavanagh,<sup>1</sup> who is a Roman Catholic. Mr. Everett and his family took lodgings at the United States Hotel. I came to Mr. Nicholas Biddle's — met him on the way — went with him to General Cadwallader's, where there was a dining-party. Count de Survilliers there. He embarks the day after tomorrow for Liverpool; and General Cadwallader is going in the same ship. He to return in October. Called as we were returning to Mr. Biddle's at Judge Hopkinson's where we saw Mrs. Hopkinson and Miss Mease.

"19, iv, 45. Thursday. Reading W. G. Stone's Letters on Masonry and Anti-Masonry, and Mitchell's translation of Aristophanes. Went with Mrs. Biddle to the Bank. New York papers — Steamboats go from Jersey City to Somerset on Taunton River. Call on E. Everett at U. S. Hotel — goes to-morrow — Call at I. Sargeant's — At Church — Day of Humiliation and Prayer. Heard Mr. Barnes — At Sargeant's afterwards — Returned to Mr. Biddle's — Letter to my wife — to S. Vaughan with A. Armstrong's Peruvian minerals for American Philosophical Society — Dined at Dr. Chapman's — Count de Survilliers there — He told me his objects in going to Europe to settle his private affairs — to visit his mother and family — and perhaps to be the regent of France if his nephew the Duke of Reichstadt;<sup>2</sup> should be called to be king of France — He goes pour faire Acte de presence, to be ready, if the Holy Alliance and the people of France unite to call him to the head of affairs, to assume the Sovereign — His hopes are however less sanguine than they were — Called again in the evening on Mr. Everett. He still concludes to go to-morrow morning. I determined to stay till Saturday. Light thunder gust while we were at dinner. C. J. Ingersoll's political manifestos."

The same day he wrote to Mrs. Adams: —

"I seem to myself like one recovering from a trance or fainting fit into which I fell, on leaving Quincy last October, and as if in the interval I had been in the world of Spirits. I have been under some perplexity how to proceed, in order to reach home as soon as possible. The daily steamboats between New York and Providence have ceased running; after having been excluded from landing passengers at Newport, and doomed to Quarantine upon arrival at Providence. They

<sup>1</sup> Edward Kavanagh (1795-1844), of Damariscotta, member of Congress from 1831 to 1835. In politics a Jackson Democrat.

<sup>2</sup> The Duke of Reichstadt died at Schönbrunn, July 22, three days only after this entry was made. Reports of his failing condition and expected death had already reached Philadelphia. Bertin, *Joseph Bonaparte en Amérique*, p. 393.

now advertise to go occasionally from Jersey City, and to land passengers at Somerset, in Taunton river. I intend going to-morrow to Jersey City, and lodge there without crossing to New York. I expect the steamboat President will be going on Saturday, or if that shall fail, I may have an opportunity for New Haven, Hartford or New London. You will not expect me before Monday; nor be disappointed if it should even be a day or two later before I arrive.

"Mr. Webster left Washington three days before us. Mr., Mrs. and Miss Silsbee the morning of the adjournment of Congress. Mr. and Mrs. Burges, Mr. and Mrs. Tomlinson, and sundry other members of Congress, came on with us from Baltimore. Some have gone on — others will follow — none I believe after us.

"The Tariff Bill operates as a universal anodyne. All parties are claiming it exclusively as their own; each for itself — The National Republicans are blowing two horns with one breath, one to bemoan the ruined manufactures, and the other to sound the note of triumph for having carried the Bill themselves — They, and they only —

A Nation's taste depends on you —  
Perhaps a Nation's virtues too —  
—— cock a doodle doo —

The Count de Surveilliers embarks to-morrow for Liverpool — I am to dine with him this day at Dr. Chapman's. I met him yesterday at Gen. Cadwalader's, in the evening, having arrived too late to be of the dinner party. General Cadwalader<sup>1</sup> is going in the same ship with him, but not I trust otherwise in any connection with the objects of his voyage. The Count goes on a visit to his relations. He retains his estate in this country; and *may* return here at some future day. But should it so happen that the French nation should resolve to try the experiment whether the Buonaparte blood has more of the essence of royalty in it than that of the Bourbons, the Count fancies he may be wanted as a Mentor. His *pis aller* is to come back to Point Breeze.<sup>2</sup> He was at Washington about a fortnight since, and on leaving it, wrote me a Letter tres-aimable.

"We have seen Judge and Mrs. Hopkinson, Miss Mease and the Sargeant family — all well — The Roberdeaus left the City this morning. This day, by the appointment of the Clergy of most of the religious denominations of this City, is observed as a day of humiliation and prayer, on account of the Cholera."

<sup>1</sup> Thomas Cadwalader, of Philadelphia. He went to Europe at this time on business of the United States Bank. He returned to America before the close of the year.

<sup>2</sup> Point Breeze was the name given to Joseph Bonaparte's estate at Borden-town, near Philadelphia.



Certainly Mr. Adams had good cause to feel "light-hearted" now that "the pressure on body and mind" was removed. From December up to the last hour of that midsummer adjournment the political fight in the halls of Congress had waxed hotter and hotter. "Benton, who bore no mean part in the encounter, declares this session the most fiery and eventful one he had ever seen, or ever saw at all, except the panic session of the Congress which succeeded it."<sup>1</sup> By no means the least noticeable incident in it was the extraordinary *tour-de-force* accomplished by Mr. Adams, quite as much to his own surprise as to that of his colleagues. Entering at sixty-four years of age an arena wholly new, with a task assigned to him for doing which he had neither previous training nor natural aptitude, with a majority of the committee of which he was titular head opposed to him, with more than two-thirds of the delegation from his own State of Massachusetts voting the other way, antagonizing at the outset the all-powerful leader of his own side in Congress, he had not only framed and reported a tariff bill, such as it was, but he had carried it through Congress, the Senate had receded from its amendments, and the one considerable legislative result of the session had thus been accomplished.

The diary then proceeds, 20th, Friday:—

"My companions from Washington, all proceeded this day to New York. I was persuaded to wait till to-morrow. The Count Survilliers and General Cadwallader went down the river and embarked for Liverpool. I called at the Bank, but the directors were in Session. At Mr. Duponceau's but he was not at home. The heat was so intense that I strolled no further, but commenced a critique on the character and tragedy of Hamlet. — A small party dined at Mr. Biddle's. Mr. James Brown, Dr. Chapman, Mr. Daniel W. Coxe and Col. Watmough — Much talk on politics. Some upon electioneering. Prospects of National Republican desperate. Never so little political excitement. Attended in the evening a meeting of the American Philosophical Society. Mr. Duponceau presided. One paper read. One candidate for membership balloted for and admitted. Weather sultry. Shower. Mr. Biddle said the Directors of the Bank were much urged now to take an active part in electioneering; but would inflexibly decline — Well.

"21, iv. 30, Saturday. From Philadelphia to Hoboken.

'At 6 this morning we embarked. My son John for Baltimore; re-

<sup>1</sup> Schouler's United States under the Constitution, vol. iv. p. 44.

turning to Washington. I in the line for New York. Mr. Biddle accompanied me to the boat; and took leave of me at the second bell as did also Mr. John Vaughan. I was now left to pursue my way home alone. . . . Among my fellow-passengers was Col. Clinch of the Army, who spoke well of Lieut. Robert Buchanan.<sup>1</sup> In the stage from Trenton to New Brunswick my fellow-passengers were all men and total strangers. Dull time and no conversation. Steamboat Swan at New Brunswick. Met on board Mr. Phineas L. Tracy and his wife; she much alarmed at the cholera.

"The boat before going to New York landed us at the Hoboken ferry landing at 5 in the afternoon. We took lodgings at the hotel kept by Thomas Swift. Many fugitives there from New York. All the steamboats for New England ports have suspended their trips. No stage going tomorrow. Mr. Swift sent to New York and engaged passages for us in the Constellation steamboat going up the river to Albany. I propose stopping at Fishkill Landing; and to go thence to Pokeepsie and across the county to Litchfield, Hartford and on to Boston and Quincy.

"22, v. Sunday. From Hoboken to Cedar Grove — Fishkill Landing. The report of yesterday at New York was 311 new cases, and 104 deaths by the cholera in 24 hours. At ten this morning with Mr. and Mrs. Tracy, I went in the ferry steamboat Fairy-Queen from Hoboken and met near the New York shore the steamboat Constellation going to Albany. We passed from one boat to the other. In the Constellation I found Matthew L. Davis, C. C. Cambreling and Mr. and Mrs. I. S. Barrett of Boston — Two or three passengers were landed at West Point, and at 4 in the afternoon I and some others landed at Newburgh. The Constellation immediately proceeded for Albany with the rest. I crossed immediately the river in the ferry-boat to Fishkill Landing. Mr. Daniel LeRoy, a son of Herman LeRoy, my old friend, crossed with me to the Landing. He had made himself known to me in the boat. His wife was with him exceedingly ill. A carriage was waiting for them at the landing. I came immediately to Cedar Grove. Mr. De Wint was at Church, but soon came home with the clergyman, Mr. Turner. Mrs. De Wint, my niece,<sup>2</sup> received me. I remain here till to-morrow. Mr. LeRoy told me that he had lost a servant by the cholera. Had a severe attack of the previous symptoms himself, and Mrs. LeRoy was ill with them now.

<sup>1</sup> A nephew of Mr. Adams; son of Mrs. Adams's sister. Afterwards Colonel of the First U. S. Infantry, and Brevet Major-General U. S. A.

<sup>2</sup> Daughter of Abigail Adams, who was the only daughter of John Adams living to womanhood. The younger Abigail Adams, born at Braintree, Massachusetts, July 14, 1766, married William Stephens Smith, June 12, 1786, and died at Quincy, August 14, 1813. She left two children, of whom Mrs. De Windt only had descendants. Colonel Smith, her husband, died June 10, 1816.

"23, v. Monday. From Cedar Grove to Pokeepsie.

"I rode this morning with Mrs. De Wint to the manufacturing establishments of Mr. Peter H. Schenck, which I had visited in October, 1818. They are now very much enlarged. There was then only a manufacture of coarse cotton cloths which is still continued, and the general parts of which we now visited; but there is now a large establishment for making all the machinery used in the cotton and woollen manufactures — such as wheels and spindles, and other machines of iron and steel. The works all moved by steam and water power. There is a school also connected with the establishment where we saw about 40 children from 5 to 12 years of age learning to read write and cipher. The woollen manufacture is about two miles further off and I did not see it. We returned and dined at Mr. De Wint's. Mrs. De Wint, her mother, and Mr. Turner the Unitarian minister were there. At five in the afternoon, Mr. De Wint took me in his Jersey-waggon and pair of horses 15 miles to Pokeepsie — Where we arrived at the dusk of evening about 8 P. M. His eldest daughter Caroline Elizabeth was with us. We took lodgings at Hatch's tavern — a very good house, and walked round the town which is beautiful.

"24, v. Tuesday. From Pokeepsie to Litchfield 53 miles.

"At six this morning I took the stage, of the line from Pokeepsie to Litchfield — The road running from — I took leave of Mr. De Wint, but his daughter had not risen. We left Pokeepsie with six

Pokeepsie to	)	men, three women, one of them with an
Pleasant Valley 7 miles	)	infant, in the stage. Breakfasted at
Washington 12	)	Washington, and dined at Sharon the
Amenia 24	)	first town in Connecticut. The stage
Sharon 24	)	house at Amenias was at the corner of
Cornwall 44	)	the State of New York. There was
Milton 50	)	but a liberty pole between it and Con-
Litchfield 54	)	necticut. At Sharon, where we dined,
	)	two young women left us to go and
	)	take refuge at the house of a friend

in Salisbury. They were fleeing from the cholera at New York. We arrived at Litchfield about 6 in the evening after passing by the house of the ex-Governor, John Cotton Smith. I walked out to view the village; a beautiful avenue shaded with lofty trees extending about a mile. Met as I was walking a person who introduced himself to me as Dr. Catlin. He walked with me and named to me the dwellers in the houses as we passed along. After my return to the inn I was visited in the evening by sixty or seventy persons, inhabitants of the town, and among them by the young men of the Law School kept here, 14 in number, but Judge Gould their teacher was not with them.

"25. iii. 30. Wednesday. From Litchfield to Woodstock. 70 miles.

"At 4 of the morning<sup>1</sup> we departed from Litchfield for Hartford.

From	)	All my fellow passengers of yesterday save
Litchfield to	)	one man had drop'd here and there on the
Harwinton 8 miles	)	way. Others, fewer in number, took their
Burlington 14	)	places; among them a handsome young wo-
Farmington 22	)	man, with her husband. She was very sick
Hartford 31	)	on the way. We breakfasted at Burlington,
Manchester 38	)	and reached Morgan's United States Hotel
Vernon 45	)	in Hartford at $\frac{1}{2}$ past 11. Here my com-
Tolland 49	)	panions again dispersed, and I took passage
Willington 56	)	in another line for Boston. It left the stage
Ashford 60	)	office half past noon, and took up fifteen
Woodstock 70	)	passengers including six children, five of
	)	them with one woman; also a blind old man,
	)	and a notional Bostonian named Newell.

The heat was intense. The dust choaking and powdering. It was four o'clock when we reached Vernon where we dined. That is, Mr. Newell and myself. The woman with five children and another with one had left us. Just as we alighted at Vernon came on a thunder gust, and the rain in torrents fell, &c., for nearly three hours. Our stage was afterwards stalled, and drawn out of the mire by two pair of oxen — At Ashford, I was recognized by the old couple where I breakfasted on the 9th of December, 1830. We rode in the dusk till ten at night when we came to Woodstock, and took immediately to bed.

"26. iv. Thursday. From Woodstock to Quincy, 62 miles.

From Woodstock to	)	"It was nearly half past 4 when Mr.
South Oxford, Mass. 6 miles	)	Newell and myself the only remains
Sutton 12	)	of the overflowing stage company
Northbridge 14	)	from Hartford entered the carriage
Upton 21	)	this morning. We breakfasted at Sut-
Hopkinton 26	)	ton, at the house where I supped on
Framingham 33	)	the 8th of December, 1830. At
Needham 41	)	Webster a town newly set off from
Newtown 45	)	Northbridge we took in a Boston mer-
Brighton 48	)	chant named Tiffany. Two other
Roston 53	)	passengers, one a young Englishman,
Quincy 62	)	in the middle of the road; and at
	)	Hopkinton my old Classmate Dr.
	)	T. M. Harris <sup>2</sup> who was leaving his

two daughters there for the use of the springs. At half past three we entered Boston over the Western avenue, just in time for me to take

<sup>1</sup> At this date the sun rises at 4.29.

<sup>2</sup> Rev. Thaddeus Mason Harris, elected a member of this Society August 18, 1792; died April 3, 1842. A memoir of Dr. Harris by the Rev. N. L. Frothingham is in 4 Collections, vol. ii. pp. 130-155.

the Quincy stage at 4. I landed at my own house at Quincy just at 6 P. M. and found my family all well. My journey from Washington has been altogether pleasing, and although much lengthened by the dreadful pestilence raging at New York, has been marked with no disastrous incident. After getting home I dined and visited my plantation of young trees in the garden."

This divergence, I am aware, can only be justified on the ground of its being a recurrence to original material, such as it is. And now, coming back to the Stevenson letter, our associate Mr. Stanwood, than whom certainly no one ranks higher as an authority on all questions connected with American tariff controversies, has very kindly furnished me with the following in relation to both Mr. Adams's report of 1832, as chairman of the Committee on Manufactures, and to the Stevenson letter which was a direct outgrowth of that report. After briefly reciting the events connected with the tariff controversy leading up to the report, Mr. Stanwood writes as follows:—

"The bill was submitted to the House, May 23, 1832, accompanied by a long report by Mr. Adams, of which he said:—'With respect to the report itself, which the Committee had indulged him (Mr. A.) with permission to present, it was to be considered an expression of his views alone. Different members,' he added, 'approved different parts of the report, but there was perhaps no member of the Committee who approved the whole of it except the reporter himself.'<sup>1</sup>

"This report was made in the House on the same day that the veto of the Bank re-charter by President Jackson, was received.

"The report is a remarkable document. It contains an elaborate defence of the constitutionality of a protective tariff, and an argument hardly less elaborate against one of the chief contentions of protectionists, namely, that the ultimate effect of a protective duty is, by stimulating competition, to lower the price of the protected article. Consequently it could not, in its entirety, be acceptable either to protectionists or to free traders. Moreover it was particularly offensive to Southern men by reason of the following passage. Referring to the threats of dissolution of the Union, he asked what must be the necessary and unavoidable consequence of a dissolution of the tie between North and South. It would be war; and in that case the committee would suggest 'to those who deny the power of this confederated government to protect by the energy and resources of the whole nation a great and comprehensive but not universal interest, that there is an interest most

<sup>1</sup> "Gale's and Seaton's Register of Debates," 1882, p. 8091. The report is printed in the appendix of the volume.

deeply their own, protected by the Constitution and laws of the United States, and effectively protected by them alone. Among the consequences from which a statesman of either portion of this Union cannot avert his eyes in contemplating that which must ensue from its severance, is the condition in which that great interest would be found immediately after the separation should have been consummated.<sup>1</sup>

"The strict constructionists affected to find in Mr. Adams's report an argument to the effect that the words 'to provide for the common defence and general welfare' conferred upon Congress a substantive and indefinite power. To refute him they published in the columns of the *Richmond Enquirer* a letter written by Mr. Madison in 1830, to Mr. Speaker Stevenson, in which he combated the idea. In the following letter Mr. Adams questions what was the subject Mr. Madison was discussing in this letter, and suggests that it was the power to charter a bank. As a matter of fact it was the power to make 'internal improvements,' then almost as abhorrent to the politicians of the South as a protective tariff. Mr. Madison held that a protective tariff was constitutional, but derived the right from the grant of power 'to regulate commerce,' as did Mr. Clay. He was opposed to internal improvements and found in the Constitution no warrant for the exercise of a power to make them.

"The letter itself may be cited as a conspicuous instance of turning the logical guns of the enemy upon themselves. Mr. Adams disclaims in the most positive terms the opinion that the words in the Constitution 'to provide for the common defence and general welfare' are a grant to Congress of any substantive power; but he holds that they do specify purposes for which the power of taxation, to which the phrase is attached, may be exercised. He then turns upon those who accuse him of holding that the phrase does constitute a grant of power, with the searching question where in any other phrase in the Constitution they found the power to annex Louisiana and to govern it without the consent of the inhabitants. Incidentally he convicts his critics of discrediting their own witness, because, while calling in the authority of Mr. Madison to demolish the theory which they wrongly attributed to him, Mr. Adams, they rejected the actual opinion of Mr. Madison on the constitutionality of a protective tariff, which was the real question at issue."

HALL OF THE HOUSE OF REPRESENTATIVES U. S.  
WASHINGTON, 11th July, 1832.

To ANDREW STEVENSON Speaker of the House of Representatives of the United States.

SIR: In the ordeal of burning ploughshares between which it is the destiny of every public man in this country to wind his way, it

<sup>1</sup> See on this point a striking reference in Stanwood's *American Tariff Controversies*, vol. I. pp. 376, 377.

has often been my fortune to be unjustly charged with holding latitudinarian doctrines upon questions relating to the extent of the powers of Congress under the Constitution of the United States. These charges have been repeated since the report which I was permitted by the Committee of Manufactures to make in their name to the House of Representatives. They were repeated (by a gentleman from Virginia, who was himself a member of the Committee of Manufactures) *at the moment when the report was presented to the House*. They have been since, in substance, repeated on the floor of the House by the Chairman of the Committee of Ways and Means,<sup>1</sup> by another member of Virginia, and a member from Alabama—all in eloquent and well-considered speeches. The gentleman from Virginia (Judge Bouldin) argued against it, and cited the authority of Mr. Madison as adverse to it. The gentleman from Alabama (Mr. Lewis) cited also the authority of Mr. Madison, as conflicting with my opinions, on which he commented with some severity and much ability.

The array of names and of numbers on the floor against my opinions was sufficiently appalling, had there not been an appeal to the authority of Mr. Madison to sustain the adverse political creed. Nor has that name been thus resorted to in the House alone. I have seen in the public prints a letter from that eminent citizen to yourself, published, as it is intimated, by way of antidote to the supposed bane of the latitudinarian principles of my report.

It was my intention, before the final passage of the Tariff Bill, and in the event of its passage, often painfully doubtful in my anticipation, to address the House at some length upon the principles by which I had been governed in the performance of the duties which you had assigned to me, by placing me at the head of the Committee of Manufactures, and in explanation of the part which I have taken in the preparation and modifications of the bill, as well as in its progress through the two Houses of Congress. From this purpose I was first deterred by my unwillingness to trespass upon the patience of the House, by the infliction upon them of a long speech at the close of a tedious debate, and ultimately, by the application of the previous question, immediately after the second eloquent invective of the Chairman of the Committee of Ways and Means.

That<sup>2</sup> I persevered in the purpose of thus addressing the House, all the topics of debate upon which that member, as well as the members from Virginia and from Alabama, had largely expatiated in their speeches, would naturally have been reviewed and found subjects of respectful animadversion. The principles which I had believed fundamental to the inception and consummation of the great *compromise*, which it was obviously the object of all sober-minded men to accomplish

<sup>1</sup> Mr. McDuffie, of South Carolina.

<sup>2</sup> Undoubtedly a misprint for "Had."

in the adjustment of the Tariff—the plans for the reduction of the revenue, proposed by the Committee of Ways and Means, and by the Committee of Manufactures of the Senate—the rights of the agriculture and manufactures of the North and West and Centre, to *protection*—the wrongs and sufferings of the South, and particularly the distresses and depressions of the State of Alabama—the novel and marvellous maxim of political economy, that *export* pays the duty on *import*—the relative portions of the burden of existing taxation actually borne by the Southern section of the Union and by the Northern section—and the relative degrees of protection enjoyed respectively by them, must, necessarily, have passed in review.

Some of these topics are irritating, and altogether uncongenial to my nature. Others, and indeed most of them, had no bearing upon the bill under consideration of the House. I was rejoiced to be relieved from the necessity of discussing them. There is now every prospect that the Tariff Bill will pass, and it remains only for those who have contributed to its enactment, to await, with anxious hopes, its operation upon the several great interests affected by it, and its acceptance in the minds of the People.

It is not, however, to the Tariff Bill, or to any of its provisions, that I would now invite your attention and that of the Public. It is to a principle of Constitutional Law asserted in the Report of the Committee of Manufactures which accompanied the introduction of the Bill to the House. The principle asserted is, that the power of Congress to protect the manufactures and domestic industry of the country, by taxation, is contained in the article of the Constitution which authorizes Congress to lay taxes, duties, imposts, and excises, to pay the debts and to *provide for the common defence and general welfare* of the Union. This is the position which has been most earnestly controverted upon the floor of the House, and in opposition to which the authority of Mr. Madison has been so frequently and so confidently invoked.

If there is one living man to whom this country is indebted for greater and more eminent services than to any other, it is James Madison. If there be one living man to whom I am under greater, and more impressive personal obligations than to any other, it is the same individual. It is impossible for me to hear his name mentioned but with sentiments of reverence and affection. His confidence has been among the most precious consolations of my life. The opinions of Mr. Madison are to me, therefore, among the highest of human authorities. But will the gentlemen themselves, who appeal to his authority for refutation of my opinions with regard to the constitutional power of Congress to levy taxes, duties, imposts, and excises, for the protection of domestic industry, will they subscribe to the opinion of



Mr. Madison himself in affirmance of the very same power? Will the gentleman from Virginia, will the gentleman from Alabama, will you yourself call on the name of James Madison for Authority, to resist the conclusion drawn by me, that the power of Congress to protect domestic industry by taxation upon foreign industry in competition with it, follows by necessary implication from the power of taxation expressly granted to provide for the common defence and general welfare; and when Mr. Madison himself insists that the protecting power is granted in the same identical authority to tax, coupled with that of regulating commerce, will you abjure and renounce the very oracle to which you have just resorted for truth? You have doubtless all read the two letters of 18th September and 30th October, 1826, to Mr. Cabell; and is it possible that after reading them and meditating upon their contents, there should remain a scintilla of doubt upon your minds with regard to the lawfulness of the power? There is certainly none upon mine. If you appeal to Mr. Madison as authority, you must submit to his authority. You cannot, at the same moment and before the same tribunal, demand judgment in your favor, and take a plea to the jurisdiction in one and the same cause. The *authority* of Mr. Madison upon this question is against you; clearly and unequivocally against you. Not merely the authority of his name, but authority illustrated by lucid argument — by impregnable demonstration. With regard to the letter to you, which has been blazoned forth to the public, as a refutation of the position taken in the recent Tariff Report presented by me to this House, I must say that I cannot find a single point upon which the doctrines of the two papers come in collision with each other. The position against which the argument of Mr. Madison's letter contends is, that the words *common defence and general welfare* contain a substantive and indefinite grant of power. That opinion has been, it seems, entertained by some persons, and you thought it expedient to obtain in conversation, and afterwards in writing, the opinions of Mr. Madison adverse to it. Now, I for one disclaim, utterly disclaim, ever having advanced or entertained any such opinion. The words, far from containing a substantive and indefinite grant of power, contain no grant of power at all. The grant of power is in the preceding words, to levy taxes, duties, imposts — and excises. The power granted is of taxation, ample in extent, and varied in all its forms, with an exception afterwards of taxes upon exports — the common defence and general welfare are the *purposes* for which Congress are required to *provide*, in the exercise of the granted power of taxation; so is the payment of the debt. That is no grant of power. It is one of the *purposes* for which the power of taxation is granted — to provide for the common defence and general welfare, is another. The general tenor of the argument in Mr. Madison's letter is, to be sure, that the

words common defence and general welfare are "harmless words,"<sup>1</sup> but in no one passage does the writer affirm that they are words without meaning. He gives a highly interesting chronological statement of their introduction, and of the alternate adoption and exclusion of them, at the several stages of progress in the formation of the Constitution; and he traces them very satisfactorily to the Articles of Confederation. But no analogy between the two instruments can possibly lead to the conclusion that the words were equally inoperative in both. In the Confederation, the power of taxation was not granted with them—it was withheld; and in consequence of that very privation, Congress had not the power either to pay the debts, or to provide for the common defence and general welfare.

In the Articles of Confederation, the words were co-extensive with the powers of Congress to authorize the expenditure of money. They are in the 8th article of that compact, and read thus: "All charges of war, and all other expenses that shall be incurred for the *common defence or general welfare*, and allowed by the United States in Congress assembled, shall be defrayed out of a common Treasury, which shall be supplied by the several States," &c. This was no grant of power, but it recognizes the power of the United States in Congress assembled, to *allow* all charges of war, and all other expenses that should be *incurred* for the common defence or general welfare. It did not define by whom, or by whose authority the expenses should be incurred, but it admitted a discretionary power in Congress to allow them; and thus far made Congress the exclusive judges of the allowance of all expenditures incurred for the common defence or general welfare. Whether the words were harmless or not, depended upon the discretion and patriotism with which the Congress should exercise their power of allowing the expenses incurred. To incur, and allow expenditures, they were words of no trivial import—but the power of raising the money, reserved to the Legislatures of the States, rendered all the rest abortive. The power of Congress to call upon the State Legislatures for supplies was like that of Glendower to call spirits from the vasty deep. The obligation of the State Legislatures to furnish the supplies was perfect upon paper. It was a dead letter in fact. If the words common defence or general welfare were harmless, it was because they were useless. They were important alike for good or evil; not assuredly for want of high and significant import in themselves, but because that import was annulled by the denial of the power of raising funds to defray the expenses incurred. Yet as harmless as the words in the Articles of Confederation might be, it is to be

<sup>1</sup> The phrase "harmless words" is Mr. Madison's. It is much discussed by Story on the Constitution in the consideration of the constitutionality of the tariff.

inferred from much of the argument in Mr. Madison's letter, that they were often used or abused as conferring upon the Confederation Congress a substantive and indefinite power. He cautions you very earnestly against taking the *practice* of that body for the expositor of the Articles of that Confederation, and with great justice. The exercise of undefined, and, it might be added, of unlicensed authority was habitual with them, precisely because every power and authority granted to them was so encumbered, and trammelled, and shackled with exceptions, and negations, and reservations, that it could scarcely ever be exercised to useful purpose without overleaping some constitutional obstacle.

A man who should order a coachmaker to construct for him a carriage with three wheels, and interdict the fourth, for fear that it might be driven over, and crush to death casual passengers in the street who might cross its way, would give an accurate representation of this Union, under the articles of confederation. The body of the coach was well made—the frame of the carriage, whippetrees, axle-trees, pole, and three wheels, all made with the best materials, and by the most skilful workmen; but the fourth wheel was wanting, for fear of running over passengers in the streets. I admit, therefore, that the *practice* of the Confederation Congress is not to be adopted as the best expositor of its lawful powers. Still less is their *exercise* of authority to allow expenses incurred for the common defence or general welfare to be construed as indicating that they held these words to be without meaning. But there are two things which give to the same words in the Constitution of the United States a significancy far otherwise energetic than that which they possessed in the articles of confederation. The first is their annexation to the expressly granted power to lay and collect taxes, duties, imposts, and excises; and the second, is the introduction in the same connection of those most emphatic words *to provide for*. In the articles of confederation, the bearing of the words common defence or general welfare is *retrospective*, having reference to the allowance of charges and expenses *incurred*. In the Constitution, they are *prospective*, coupled first with the command of the purse—the power to levy taxes, duties, imposts, and excises, and secondly, with a great and solemn *duty* to be performed—to *provide* for the common defence and general welfare. It is the *DUTY* of Congress to provide for the common defence and general welfare, a duty equally imperative with that of paying the debts of the Union; and is it competent for Congress to discharge themselves from this great and paramount duty to the People, by the mere allegation that these are all harmless words, partly adopted from the Articles of Confederation, without meaning there, and to be construed as without meaning in their new and transferred condition?

I have distinctly said that I do not hold the words common defence and general welfare in the Constitution, to contain a grant of substantive and indefinite power, or indeed of any power at all — but as expositions of the purposes for which Congress are expressly enjoined to PROVIDE, and for enabling them to provide for which they are armed with the power of taxation in almost all its forms ; and so understanding them, I believe it would be very imperfectly descriptive of their character, to denominate them harmless words, and a very inadequate estimate of their import to consider them as merely auxiliary to their *enumerated* powers.

Yet, I disclaim again, explicitly and utterly disclaim, the imputation of considering those words as containing, either in themselves, or in their connection with the right to tax expressly granted, and with the duty to provide for, expressly enjoined, a grant of unlimited power.

It does not appear from the letter of Mr. Madison, what was the special controverted object of legislation, with reference to which you had resorted to this opinion for the solution of your doubts. His recurrence to the charter, granted by the Confederation Congress to the Bank of North America, and to the argument of Mr. Wilson to educe the authority to grant the charter from the nature of the Union, seems to indicate that your enquiries were specially directed to the power of chartering the Bank of the United States. I never considered the power of chartering the Bank, as contained in this paragraph. For, even if a Bank should be indispensably necessary for the common defence and general welfare, as I believe it to be, still the power here granted is merely a power of taxation, and to grant a charter of incorporation is not to lay taxes, duties, imposts, or excises.

Before the acquisition of Louisiana, and its annexation to the Union, I did consider this taxing power, injunction and exposition of purposes, as sufficient, together with the treaty-making power, *for the acquisition of the Territory by purchase*, but not for exercising the powers of Government over the inhabitants, nor for annexing them to the Union.

At the session of Congress specially called by President Jefferson, upon the occasion of the conclusion of that negotiation, and which commenced on the 17th of October, 1803, I first took my seat as a member of the Senate of the United States. An accidental detention on my way to the Seat of Government, by illness in my family, prevented me from taking my seat until the 21st of that month : the advice and consent of the Senate to the ratification of the treaties had been given the day before. Had I been present I should have voted in favor of the ratification : I had no doubt of the power to conclude the treaty. I did vote and speak in favor of the bill making appropriations for carrying the treaties into execution. It was entitled an "Act authorizing the creation of a stock to the amount of eleven millions two

hundred and fifty thousand dollars, for the purpose of carrying into effect the Convention of the 30th of April, 1803, between the United States of America and the French Republic, and making provision for the payment of the same." But I voted against the bill "to enable the President of the United States to take possession of the Territories ceded by France to the United States by the treaty concluded at Paris on the 30th of April last, and for the temporary government thereof." (See Bioren's U. S. Laws, vol. 3, p. 562, both these Acts.) My speech on the bill authorizing the creation of the stock may be found in the fourth volume of Elliott's Debates and illustrations of the Federal Constitution, p. 256, and it points out the distinction upon which I voted for one of these bills and against the others. I had no doubt of the constitutional power of the President, with the advice and consent of the Senate, to make the treaty and to acquire the territory; nor the power of Congress to borrow and appropriate money for the payment of the purchase — to take possession of the territory — to dispose of it, and to make all needful rules and regulations respecting it. But the second section of the act enabling the President to take possession, was in the following words: "*And be it further enacted, That until the expiration of the present session of Congress, unless provision for the temporary government of the said Territories be sooner made by Congress, all the military, civil, and judicial power, exercised by the officers of the existing government of the same, shall be vested in such person, and persons, and shall be exercised in such manner, as the President U. S. shall direct, for maintaining and protecting the inhabitants of Louisiana, in the free enjoyment of their liberty, property, and religion.*"

By this section, the absolute power of a king of Spain over the People of Louisiana was vested in the President of the United States. I believed that the Constitution had not authorized Congress to confer upon the President such powers, and voted against the bill as unconstitutional. Mr. Jefferson signed the bill as President of the United States, and assumed and exercised the powers vested in him by it.

At the same session of Congress, an act was passed (24th Feb. 1804, Bioren's U. S. Laws, p. 369,) for laying and collecting duties on imports and tonnage within the ceded Territories. An act erecting Louisiana into two Territories, and providing for the temporary government thereof (U. S. Laws, Vol. III. p. 603, March, 1804) and several others, exercising all the powers of taxing and legislation, over the People of Louisiana, and conferring upon them the rights and privileges of native citizens of the United States. Against all these acts I voted, as may be seen by the record of yeas and nays in the Journals of the Senate. I was under a sincere and conscientious conviction that the Constitution of the United States had conferred upon Congress no authority to enact those laws.

Mr. Jefferson however, sworn as he was to support the Constitution of the United States, and to take care that the laws should be faithfully executed, did, as President of the United States, sign all those acts, and did assume and exercise all the powers conferred on him by them.

In the debate in the House of Representatives upon the constitutional power of Congress to consummate the acquisition of Louisiana, Mr. Rodney expressly cited this identical article; the power to lay taxes, duties, imposts, and excises, to pay the debts, and *provide for the common defence and general welfare*, as containing the necessary grant of power. I did not subscribe to the doctrine. I believed an amendment to the Constitution indispensably necessary to legalize the transaction; and I further believed the free and formal suffrages of the People of Louisiana themselves were as necessary for their annexation to the Union as those of the People of the United States. I made a draft of an article of amendment to the Constitution, authorizing Congress to annex to the Union the inhabitants of any purchased territory; and of a joint resolution, directing that the people of Louisiana might meet in primary assemblies, and vote upon the question of their own union with the United States. Of both these experiments, had Mr. Jefferson had the courage to make them, the result was as certain as the diurnal movement of the sun. But Mr. Jefferson did not dare to make them. He found Congress mounted to the pitch of passing those acts, without inquiring where they acquired their authority; and he conquered his own scruples as they had done with theirs.

I was aware that by a very liberal construction of this extensive power of taxation to provide for the common defence and general welfare, together with what was called the sweeping clause—the last paragraph of the section—the power to make all laws necessary and proper for carrying into execution all the other powers vested by the Constitution in the Government of the U. States: the whole transaction of purchasing and annexing Louisiana to the Union, might be fairly brought within the pale of the constitutional powers of Congress. The peaceable purchase of Louisiana for a sum of money, was, under the circumstances of the time, a strict and judicious performance of the duty to *provide* for the common defence and general welfare. A province bordering upon our own territories, covering a surface equal in dimensions to the whole domain of the Union, interlocked with our own soil, by more than one of the mightiest floods that traverse the Western Hemisphere, and capable of bearing and breeding a population to be numbered by hundreds of millions, had passed from the imbecile caducity of Spain into the hands of the Conqueror of the age, in the swelling tide of his fortune. He had destined his new possessions to be the seat of a *military colony*, and at the very moment when

he transferred his acquisition to the happier destinies of association with the North American confederacy, he had twenty thousand of his veteran warriors embarked at a European port, under the command of another soldier of fortune, then his lieutenant, since more permanently aggregated than himself with the circle of sceptred kings, and waiting but for a wind to waft them to the mouths of the Mississippi. To tax the people of the United States to the amount of fifteen millions of dollars, had it been for the single purpose of buying off the prospects and perils of such a neighbourhood, would certainly have been a very wise and fortunate measure to provide for the common defence and general welfare; but the legitimacy of *this* exercise of power should carry with it, as incidental consequences, the power of investing the President of the United States with all the despotic authority of a King of Spain; that it should imply the power of absolute legislation over a foreign nation; of holding in subjection a foreign people, taxing them without their consent, and fettering them into freedom, appeared to be inferences so transcendent, so inconsistent with the whole character of our institutions, so certainly unforeseen and un contemplated by the Convention which had prepared the Constitution, and by the people who had adopted it, that I could not bring my mind to the conclusion that this clause of the Constitution could be susceptible of such latitude of construction. I opposed pertinaciously, by speech and by vote, the passage of all those acts. The debates of the Senate were not then regularly reported, and of my opposition, which was earnest and incessant, even to importunity, no record now remains excepting upon the journals of the Senate.

It will be found that on the 25th of November, 1803, I moved for the appointment of a committee, "to enquire whether any, and if any, what further measures might be necessary for carrying into effect the treaty between the United States and the French republic, concluded at Paris on the 30th of April, 1803, whereby Louisiana was ceded to the United States," with leave to the committee "to report by bill or otherwise." This motion was laid on the table for consideration till the 9th of December, when it was rejected.

When the motion was under consideration, I stated to the Senate my motive for making it; my full conviction that an amendment to the Constitution was indispensable for the annexation of Louisiana to the Union; and for the admission of its inhabitants to the rights and privileges of citizens of the United States. That the consent of the people of Louisiana was equally necessary; and I read the drafts which I had prepared, of an amendment to the Constitution, and of a resolution for taking the free vote of the people of Louisiana, which I proposed submitting to the committee, if the Senate would indulge me by appointing one.

No attempt was made to answer my reasoning, but my motion was rejected. Before offering the resolution, I had twice called upon Mr. Madison, then Secretary of State; had expressed to him my own opinions upon the constitutional points, and the wish that measures to the effect of removing the difficulties should be introduced into Congress, by some leading friend and supporter of the administration. At our first interview, I left him under a doubt whether this course of proceeding would be taken by the administration or not; and I told him I should not move in the matter, if any friend of the administration would undertake it.

At the second meeting, he informed me that no such measure would be proposed on the part of the administration, and it was in consequence of this information that I made the motion in the Senate for the appointment of the committee. The administration and its friends in Congress had determined to assume and exercise all the powers of government in Louisiana and all the powers of annexing it to the Union, without asking questions about their authority.

On the 10th of January, 1804, I offered to the Senate the following resolutions:

"1. Resolved, That the People of the United States have never in any manner delegated to this Senate the power of giving its Legislative concurrence to any act for imposing taxes upon the inhabitants of Louisiana, without their consent.

"2. Resolved, That by concurring in any act of Legislation for imposing taxes upon the inhabitants of Louisiana without their consent, the Senate would assume a power unwarranted by the Constitution and dangerous to the Liberties of the People of the United States.

"3. Resolved, That the power of originating bills for raising revenue, being exclusively vested in the House of Representatives, these Resolutions be carried to them by the Secretary of the Senate: that whenever they think proper, they may adopt such measures as to their wisdom may appear necessary and expedient for raising and collecting a revenue from Louisiana."

At the time when I offered these Resolutions, the act "for laying and collecting duties on imports and tonnage within the territories ceded to the United States by the Treaty of the 30th of April, 1803, between the United States and the French Republic and for other purposes," (Bioren, U. S. Laws, vol. 3, p. 569,) was in discussion before the Senate, I strenuously opposed and voted against that act, in all its stages, on the sole ground that it transcended the constitutional powers of Congress. But as the mere record of votes by yeas and nays could not show the principle upon which my votes were given, I offered these Resolutions well knowing that they would not be adopted, but for the purpose of putting upon record my solemn protest against the assumption and exercise by Congress of such unconstitutional powers.



A letter from Mr. Jefferson to Dr. Sibley has been recently published, written in June, 1803, after he had received the Louisiana Treaties, in which he clearly and unequivocally expresses the opinion that an amendment to the Constitution would be necessary to carry them into full execution. Yet, without any such amendment to the Constitution, Mr. Jefferson did, as President of the United States, sign all those acts for the government and taxation of the People of Louisiana, and did exercise all the powers vested in him by them.

Now, sir, as the letter from Mr. Madison to you, upon which I am commenting, has been avowedly published as a refutation of the opinions contained in the Report of the Committee on Manufactures, upon the bearing of the duty enjoined upon Congress in the constitution, by means of taxation, to provide for the common defence and general welfare, as authority for the protection of domestic industry; and as in the newspaper which I have before me, that Letter is introduced with a declaration by its publisher, that "it completely overthrows the heresy which Mr. Adams has advocated in this Report," I now call upon you, in the face of the nation, to state, by virtue of what *enumerated* power in the Constitution of the United States, Mr. Jefferson did, as President of the United States, sign, and then; as the chief Executive Magistrate of the Union, carry into effect, the acts of Congress, of which I here subjoin the titles, and the dates upon which they received his sanction.

1. An Act to enable the President of the United States to take possession of the territories ceded by France to the United States, by the Treaty concluded at Paris on the 30th of April last, and for the temporary government thereof, 31st October, 1803.

2. An Act for laying and collecting duties on imports and tonnage within the territories ceded by the United States by the treaty of the 30th of April, 1803, between the United States and the French Republic, and for other purposes, 24th February, 1804.

3. An Act relating to the recording, registering, and enrolling of ships or vessels in the District of Orleans, 25th February, 1804.

4. An Act providing for the expenses of the civil government of Louisiana, 19th March, 1804.

5. An Act erecting Louisiana into two territories, and providing for the temporary government thereof, 26th March, 1804.

If you can discover in the Constitution of the United States the shadow of an enumerated power, other than these "*harmless words*," and this repudiated sweeping clause, delegating to the Congress of the United States the power to enact those laws, and to the President of the United States the power to sanction and then to execute them, you will confer upon me a high obligation by pointing it out.

By what process the mind of Mr. Jefferson was operated upon, between the month of June, when he declared, in his letter to Dr. Sibley

his opinion that an amendment to the Constitution was necessary to consummate the acquisition of Louisiana, and the 31st of October, when he signed the first of these acts, has never been made known to the world. That he wilfully and deliberately violated the Constitution of the United States, and his official oath to *preserve, protect, and defend* it, I never have felt myself justified in believing, nor am I willing to believe it now. To that supposition there is this alternative; and if there is another, I solemnly demand of you, and of every other surviving friend of Mr. Jefferson and of his reputation with posterity, to set it forth.

The alternative is, that Mr. Jefferson did, *pro hac vice*, adopt the principle of liberal construction to the grant of powers in the Constitution. That he concurred in the exercise of the power of taxation upon the people to the amount of fifteen millions of dollars, to provide (by the purchase of Louisiana) for the common defence and general welfare of the Union, and that, after having completed the purchase, he was warranted in giving his sanction to all laws necessary and proper to carry the whole transaction into execution, however identified such laws might be with the principles of an absolute monarchy, and however irreconcilable with the fundamental principles of our republican institutions.

I have stated that upon the passage of this first act, and for taking possession of Louisiana, and for the *temporary government* thereof, through the House of Representatives, this very paragraph of the Constitution was cited by Mr. Rodney, of Delaware, a distinguished lawyer and statesman, and then an ardent friend and supporter of Mr. Jefferson's administration, as containing the grant of power by which Congress was authorized to make the acquisition of Louisiana. I have said that by giving this construction, an easy and natural, but very liberal construction, to that paragraph, and calling to its aid the sweeping clause, the purchase of Louisiana, and all the laws of Congress enacted for carrying it into full execution, were strictly constitutional. And I will now add, that from and after the close of the first session of the eighth Congress — that is, from the 27th of March, 1804, I have so considered, and do so consider them. It was not the construction which from the conclusions of my own judgment I had given to that paragraph. I had, through a long and interesting session of Congress, resisted and opposed the application of that construction to measures which in all other respects had my hearty approbation. That construction was, however, practically given, by large majorities of both Houses of Congress, and by Mr. Jefferson, as President of the United States, in the enactment and execution of the five statutes of which I have given you the titles and the dates. That construction was acquiesced in by the People of the United States and by the People of Louisiana, and

thereby, controlling my own judgment, became to me thenceforth a part of the fundamental constitutional law of the land. And hence in the years 1819 and 1821 I contributed, in the official station which I then held, without scruple or hesitation, to the conclusion of the Florida Treaty, and to the enactment of laws precisely similar, with reference to that province and to its inhabitants, which I had resisted and opposed with regard to the province of Louisiana and its people in 1804.

But the construction of the Constitution having been practically and definitely settled with regard to transactions of such import as the acquisition, government, and annexation to this Union, of a territory, equal to that of the whole confederated republic before, I was left no longer at liberty to apply a narrow and contracted analysis of language to those "harmless words," which had conferred upon a President of the United States the despotic powers of a King of Aragon and Castile. I never did draw the inference—and I ask, in this respect, not to be misunderstood—I never did draw the inference from this succession of facts, and settlement of principles, that these words conveyed to Congress a substantive and "indefinite power"; but I did draw the inference, that, as declaratory of the purposes for which the power of taxation was granted, and as subsidiary to the duty enjoined upon Congress to provide for the common defence and general welfare, they were words efficacious in themselves, and needing no further specification of enumerated power to give them life and significance. The substantive and definite power granted is, the power to levy taxes, duties, imposts, and excises. The duty enjoined upon Congress, for the performance and fulfilment of which, they are authorized to exercise this power, is to provide for the common defence and general welfare. Far from being a grant of indefinite power, these are themselves defining words; they *limit* the exercise of the powers of taxation, in this respect, to the object of providing for the common defence and general welfare; but they extend the lawful exercise of the power to all objects fairly and reasonably coming under the denominations adapted to *the common defence and general welfare*. Now, the acquisition of Louisiana by purchase, and the enactment of all laws necessary and proper for carrying that measure into execution by fair and sound reasoning, without violence to language or abuse of terms, might be included in the obligation of Congress to provide for the common defence and general welfare. And I aver, for the purpose of meeting and refuting your contradiction, if you shall think proper to contradict the assertion—I aver, that there is in the Constitution of the United States, no other enumerated power granted to Congress which could authorize them to enact the five statutes of which I have given above the titles, and which were enacted at the first session of the eighth Congress, 1803–1804.

If, then, the eighth Congress, with the sanction of Mr. Jefferson, as President of the United States, did practically give an exposition to these words so comprehensive as to embrace within the pale of the Constitution all the acts of Congress by which the acquisition of Louisiana and its annexation to the Union were consummated, the same principle is of right applicable to the exposition of the same words in all parallel cases, and no one can deny that the protection of domestic industry against foreign competition, and against the hostile spirit of rival commercial legislation, is as faithful a performance of the obligation to provide for the common defence and general welfare, as was the purchase of Louisiana.

Such, sir, is the foundation of the reasoning upon which, in the report of the Committee of Manufactures of the House of Representatives upon the Tariff, it is affirmed that the power of Congress to protect the domestic industry of the country, by taxation upon the competition with it of foreign industry, is granted by the power of taxing to *provide* for the common defence and general welfare. I add, that it is much more clearly included in this grant of power than the purchase of Louisiana and its consequent series of legislation was so included. How strictly this power of protecting the native interest by counter-vailing legislation, is included in the requisition of Congress to provide for the common defence and general welfare, is signally illustrated by the following paragraph of the speech of Mr. Huskisson to the British House of Commons, delivered on the 12th of May, 1826, upon the state of the navigation of the United Kingdom. Speaking of the British Navigation Laws, he says, "I am bound to say, that those regulations are founded on the first and paramount law of every State, the highest ground of political necessity, OF PROVIDING FOR OUR OWN SAFETY AND DEFENCE." Here, sir, the very words of our Constitution employed as a direction to Congress for the exercise of the granted power of taxing, are used by Mr. Huskisson, as constituting the foundation of the whole system of the Navigation Laws of Great Britain, and the coincidence of the language used in the two cases is the more emphatically demonstrative of the power of Congress implied in the injunction, as it is very certain Mr. Huskisson used the words without reference to the Constitution of the United States, of which there is in the same speech abundant evidence that he was wholly ignorant.

If, then, there is any essential discordance between the principles of constitutional law asserted in the report of the Committee of Manufactures, with reference to the words common defence and general welfare, and the doctrines maintained in the letter from Mr. Madison to you, it is not because the report asserts or implies that these words "convey to Congress a substantive and indefinite power." The report contains no such assertion, — no such implication.

Nor, if the argument in Mr. Madison's letter is to prove that these words are not competent to authorize Congress to charter a bank, can there be found in the report, any heresy to which they can attach for controversy or reflection. The author of the report has never asserted, nor does he believe that the power to charter a bank is contained in this particular grant. But he has no doubt, that if in *providing* for the common defence and general welfare, Congress should find it necessary to levy taxes, duties, imposts, and excises, to administer the finances of the country by means of a bank, the power, the duty, and the purposes thus combined, would justify them in the establishment of such an institution. The general power to charter a bank must be derived from other grants.

If, however, by the denomination of "harmless words" applied to the terms common defence and general welfare, or if the chronological tracing of their genealogy through the stages of their progress in the constituent convention, back to the articles of confederation, the purpose of Mr. Madison's argument is to show that these words, associated as they are in the Constitution with the grant of power to tax, and with the injunction of Congress to provide for, have no more vital efficacy than they had in the articles of confederation, where separated from the power of taxation disburthened from the obligation to *provide*, they were confined to the exercise of an authority to settle accounts for expenses and charges incurred, then, with the most perfect deference for the opinions of Mr. Madison, the reporter of the Committee of Manufactures is constrained to dissent from them.

That the words were not in the articles of confederation themselves deemed altogether harmless, is proved by the consideration that the power of the United States in Congress assembled, to *ascertain* the sums and expenses necessary for the *defence and welfare* of the United States, or any of them, was one of the substantive powers which they were interdicted from exercising, unless with the assent of nine States. The power granted to the Confederation Congress was to *ascertain* the necessary sums and expenses: and so substantive, though not indefinite, was that power deemed, that its exercise was prohibited, unless with the assent of nine States. The power granted to the Constitution Congress is, to levy taxes, imposts, and excises, and the duty enjoined upon them is, to *provide* for the defence and welfare of the Union, by the expenditure of the monies levied. In the articles of confederation, it was a substantive specific grant of power, in which the words *defence and welfare*, as indicating the purposes for which the power might be exercised, were so far from being thought harmless, that they warranted the expenses which Congress were authorized to ascertain, and so substantive, and so far from indefinite was this grant of power considered, that it was classed in the same paragraph with the

powers of engaging in a war, of granting letters of marque and reprisal in time of peace, of entering into treaties or alliances, of coining money, of regulating the value thereof, of emitting bills, of borrowing money on the credit of the United States, of appropriating money, of agreeing on the number of vessels of war to be built or purchased, or upon the number of land or sea forces to be raised, and of appointing a Commander-in-chief of the Army or Navy. For the exercise of any one of these powers the Articles of Confederation made the assent of nine States indispensable. The terms defence and welfare, in this case, though unaccompanied by the epithets common and general, must be understood as of the same import as they bear in the Constitution, connected with them. They are the exponents of a definite specific power, as well in the Articles of Confederation as in the Constitution of the United States. In the Articles of Confederation it was a power to *ascertain* expenses necessary for the specified objects, and the abuse of the power was foreclosed, by requiring a majority of two thirds of the States for its exercise. In the Constitution it is a power to tax the People, granted to Congress with the injunction to provide for the common defence and general welfare, by the expenditure of the proceeds of taxation. It is as specific and definite as the other injunction, to pay the debts of the Union with the proceeds of the same taxation. It is a grant of power to Congress, like the other general grants to the same body, and is not one of those requiring more than a majority of the two Houses, with the sanction of the Executive, for its exercise.

The *extent* of the power conveyed to Congress by this grant, is undoubtedly dependent upon the construction given to them "to provide for the common defence and general welfare." It is a question of more or less, and the opinion that they contain (as connected with the power to tax) no intrinsic meaning appears to me as erroneous as that which assigns to them indefinite and arbitrary power.

I have shown that Mr. Jefferson and the eighth Congress, practically gave to them by their acts for consummating the acquisition of Louisiana, a more enlarged construction than I deemed admissible. A construction, however, sustained by the acquiescence of the people, and in which I have therefore acquiesced. Before the acquisition of Louisiana, I should have held the power granted to Congress in this paragraph amply competent to provide by taxation upon foreign competition, for the defence of domestic industry. Since the extension given to the constructive power by the Louisiana Purchase legislation, I have considered that power enlarged to the comprehension of all objects as clearly adapted to the common defence and general welfare, as the purchase and annexation to the Union of Louisiana. Indulging Mr. Jefferson and the eighth Congress in their liberality of construction to this

paragraph, necessary to bring within the pale of the Constitution, the statutes which they did enact and execute to consummate the acquisition of Louisiana, I cannot consent that they should then step back and say, we have adopted the latitudinous construction for an object specially suited to our own interests and purposes, and now we will return to the doctrines of rigid construction. The acquisition and annexation to the Union of Louisiana was an achievement of great importance to the common defence and general welfare of the Nation, and I will not deny that by its magnitude it warranted the application of a very liberal principle of construction to the powers of Congress for effecting it. But I cannot allow that Mr. Jefferson, as President of the United States, but at the same time a citizen of a Southern slave holding State, should adopt a broad and liberal construction of the terms in which power had been delegated to him, for the accomplishment of one set of measures, transcendently advantageous to the Southern and slave holding interest; and to then retreat upon a narrow and niggardly construction of the same terms, to deny the power of Congress to protect the manufactures of the North, of the Centre, and of the West, from foreign rivalry and competition.

That Mr. Jefferson did so, it is not my intention to affirm. That he had no doubt of the power of Congress to protect the native interest, not only by taxation, but by prohibition, has been amply proved, and particularly by one of his messages to Congress, an extract from which was read by me to the House of Representatives in the course of the debate upon the Tariff Bill yet under the consideration of Congress. Mr. Madison doubts as little as Mr. Jefferson, and his letter to you, of which you have permitted the publication to refute the supposed heresy divulged in the Report of the Committee of Manufactures, proves by its date that it was written by him for no such purpose. The substantial argument of Mr. Madison's letter is, that the terms common defence and general welfare do not convey a grant of substantive and indefinite power. So say I. Mr. Madison says that the power of Congress to protect domestic by taxation upon foreign industry is implied in the power to regulate commerce. So say I. And I add that it is also contained in the grant of power of taxing to *provide for the common defence and general welfare*. In both cases the power is implied. It is a constructive power, and so far as I am able to judge of the force of language, the derivation of the power from the duty to provide for the common defence and general welfare is more direct, more immediate, less needing a winding stair-case of argumentation to come to the result, than its derivation from the power to regulate commerce. The publication, apparently by your authority, of a private letter from Mr. Madison to you, with the avowed purpose of affixing the brand of heresy upon a principle asserted by me in a document prepared in

discharge of a public duty assigned to me by yourself, will, I trust, be a sufficient apology to you and to the public, to warrant my addressing you in this manner, rather than upon the floor of the House.

I am very respectfully, sir, your servant and fellow-citizen,

JOHN QUINCY ADAMS.

A new serial number of the Proceedings, containing the record of the meetings in June, October, and November, was ready for delivery at this meeting.



MEMOIR  
OF  
URIEL H. CROCKER.

BY SAMUEL S. SHAW.

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URIEL HASKELL CROCKER, eldest son of Uriel and Sarah Kidder (Haskell) Crocker, was born at Boston, December 24, 1832. His father came of the old Barnstable family of Crocker, and was son of Uriel Crocker (1768-1813), who migrated from Barnstable to Boston and ultimately to Marblehead, where he married the daughter of Richard James, a prominent ship-captain of that place. General John Glover, of Revolutionary fame, was her maternal great-uncle. The name Uriel was given to his son by Josiah Crocker, a graduate of Harvard in 1765, a schoolmaster at Barnstable, and an admirer of Milton. The industry, integrity, and business ability of the second Uriel Crocker were rewarded by large wealth. Beginning as a working apprentice in the printing-office of Samuel T. Armstrong, afterwards Mayor and Acting Governor, he became his partner in a successful publishing business, and by wise investments a large capitalist. Living to the age of ninety, he had the satisfaction of seeing his sons occupying positions of usefulness and honor in the community.

His son, Uriel Haskell, the subject of this memoir, after receiving instruction in the private school of Mr. Thompson Kidder, where his proficiency in arithmetic indicated the bent of his mind towards mathematical studies, entered the Boston Latin School in 1844. In 1849 he was admitted at Harvard College, without conditions, as Freshman. He maintained a high rank in college, being then as always a conscientious worker, and was one of the few whose mathematical tastes led them to take the elective course under Professor Peirce. In 1853 Mr. Crocker graduated thirteenth in a class of eighty-eight. It is somewhat difficult to know on what principles



John G. S.





*Wm. H. Crocker*



parts at Commencement were assigned in that year, and why he was expected to have anything to say about the "Ancient Monuments of the Mississippi Valley," but that was the subject of his "Dissertation." By those who knew him in after life, anything less likely to occupy his thoughts can hardly be imagined. He became a member of the Phi Beta Kappa Society, and afterwards rarely missed attending a meeting. After graduation he entered the Harvard Law School and took his degree of LL.B. in 1855.

On leaving the Law School Mr. Crocker entered the office of Sidney Bartlett, Esq., 16 Court Street, as a student. He was admitted to the bar, on examination, on April 1, 1856, and in the following September shared the office of George W. Tuxbury, Esq., with whose business he was to some extent associated, and the connection lasted till 1863.

It was characteristic of Mr. Crocker to be but very slightly influenced by the tide of popular opinion around him. An illustration of this is to be found in an early performance of his, a letter written in the midst of the excitement over the Trent affair, which appeared in the Boston Journal of November 25, 1861, in which he laid down sound principles of international law under the modest guise of suggestions as to the importance of fully understanding the strength of an opponent's case. This cautious manner of approaching the subject is significant of the state of public opinion at the time.

Mr. Crocker's practice was, during the earlier period, largely that of a conveyancer, and as such he acted as examiner of titles for the Franklin Savings Bank. A rare skill in perceiving the practical bearing of a reported case, and of expressing it in condensed and accurate language, led him into the practice of making notes for his own use. The germ of his after published work may be found in an abstract of cases on the subject of Notice to Quit in the Monthly Law Reporter of May, 1858, which was expanded into his book, published in 1867, entitled "Notes on Common Forms: A Book of Massachusetts Law." As indicated in the title, he made no attempt to lay down or illustrate general principles, nor to write a treatise, but he furnished first help for those who required an immediate answer to some question relating to our local practice, which frequently proved to be all the help that was needed. The first edition of five hundred copies, printed at

his own expense, yielded only a nominal profit. It was followed by three enlarged editions, in 1871, 1883, and 1902 respectively, the last being in the hands of the printer at the time of the author's death, and the popularity and consequent profits of the work were constantly increasing. But pecuniary profits were a secondary consideration with Mr. Crocker. He did not work for them, but for the satisfaction of doing something useful thoroughly well. The taste for order and thoroughness in everything he had to do with was shown in all his surroundings. His desk was always cleared for action; no dead and dusty documents encumbered the pigeon-holes, no heterogeneous pile of papers obstructed the freedom of his work. His accounts were all carefully kept by double entry.

In 1866 he was joined in business by his brother, George G. Crocker, and they published together, in 1869, the first edition of the "Notes on the General Statutes of Massachusetts." The "Notes" were such as a careful lawyer, who followed subsequent legislation and the reported decisions, would make for himself, and relieved the profession of that trouble, besides giving the benefit of Mr. Crocker's intelligent appreciation and clear statement of cases. Two more editions of this work, in which the additions were mostly made by Mr. U. H. Crocker, were published in 1874 and 1882, the latter called "Notes on the Public Statutes," and the final one in 1891. It is safe to say that for Massachusetts lawyers few books have furnished more effectual assistance of a practical kind than Mr. Crocker's "Notes." To this the press bore ample testimony. Among other acknowledgments we have one from Judge Thomas, formerly of the Supreme Court of Massachusetts: "There has not been a day (*dies juridica*) since I purchased your 'Notes on the General Statutes' that I have not had occasion to use them and every time with an increased sense of their value. The book is an extremely happy suggestion, carried out with care and fidelity. It seems to me as indispensable as the statutes themselves. I am greatly obliged to you for having done the work and for having done it so well."

A somewhat singular result of Mr. Crocker's studies in conveyancing was his contribution to the October number of the *American Law Review*, 1875, of an article entitled "The History of a Title," which surprised his friends and the public. It is a delightful species of "legal fiction," instructive and

entertaining. He imagines a title to real estate in Boston, supposed in 1860 to be unimpeachable under a will of 1830. A successful claim, founded on a rule of law (for which book and page are given), suddenly undermines the supposed validity of this title. The claimant, however, finds that he has acquired a castle in the air, owing to the operation of a rule of rare application upon a very unusual state of facts (here book and page again), and so on through a series of dissolving views, each in turn dispelled by some newly discovered evidence, until the seventeenth century is reached, when the bottom drops out of everything and the estate is found forfeited, by breach of a condition created in 1660, to the heirs of a man who proves to have been the ancestor of our owner of 1860, who thereupon establishes his descent and recovers the property. The story is told with a quiet ease and an air of truth which deceived some simple souls, and kept them awake at night thinking of the instability of their possessions. The "History of a Title" has been reproduced in various forms and used for various purposes, but especially to advertise title insurance companies. It was also made the basis of a novel by Edwin L. Bynner, entitled "Damen's Ghost."

A subject of public utility on which Mr. Crocker expended a great deal of time and thought was a park system for Boston. The question of a park had been agitated, but generally on the assumption that a compact area would be taken. He seems to have been the first projector of a park laid out on the general principle, then novel, of a long stretch of parkway, which has since been adopted, although he was disappointed by the rejection of the particular location which he had himself devised. He first published his views in a letter printed in the Daily Advertiser of December 4, 1869. He proposed a driveway which, starting from a point on the Milldam somewhere near the present end of the Harvard Bridge, should skirt the Charles River and run through an ornamental embankment to a then unimproved estate of sixty acres between the Brighton road and the river, which was to be included in and form an important part of the system. From this point the road should cross the Brighton road and the Boston and Albany Railroad and immediately enter a very wild, wooded, and uneven piece of land, which, with a very little expense, could be converted into one of the most picturesque spots im-



aginable. The park land would extend to the Chestnut Hill Reservoir, varying greatly in width at different points. Corey Hill would be included in it. In this letter a suggestion anticipated the dam at Craigie's Bridge now in course of construction. The plan was received with much favor and ably seconded by Mr. Francis L. Lee. A petition was presented to the Legislature of 1870 praying for a commission to be appointed by the Governor and Council, whose duty should be to lay out in or near the city of Boston one or more public parks, signed by many influential citizens, provision being made to apportion the expense among the cities and towns to be benefited. Mr. Crocker appeared before the Judiciary Committee of the House in support of the petition. He drafted the bill which was reported providing for a mixed commission of nine, four members to be appointed by the Governor, four by the City Council, the Mayor of Boston to be the ninth. The bill was passed with some amendments, but was not to go into full effect unless accepted by two-thirds of the legal voters of Boston at the next State election. As the time for voting approached, the plan received a warm support from the press and also opposition of the noisy sort. Hand bills exhorted the people to vote "No" to a proposal to tax Boston for the benefit of the land-owners of Brookline and Brighton, and to reject a bill pushed by the Boston Water Power Company and the aristocrats of Commonwealth Avenue, etc. The opposition was successful, and the act failed of acceptance by a few hundred votes, largely, it is said, by the controlling pressure of the recently annexed Dorchester, which believed in nothing beyond the strict city limits. Mr. Crocker was not discouraged; the project of a park was not dropped. It was taken up by the City Government, and Mr. Crocker continued to appear before committees and to write for the press in support of his original idea. The question continued to be agitated until the passage of the Act of 1875, which in its main features followed Mr. Crocker's plan. He was not appointed a Park Commissioner, as he should have been.

He had a share in a great improvement in the method of indexing deeds recorded in the Suffolk Registry. A large part of the work of a conveyancer had consisted in running down the entries, examining every deed of a given grantor, and making for himself a schedule, in which enough of description

of the property was added to serve for future purposes and to relieve him from doing the work over again. These schedules multiplied as his work went on and became a valuable part of his stock in trade. The model of a "Descriptive Index" covering the years 1854-1871 was the work of the Conveyancers Association, of which Mr. Crocker was treasurer. It took the place of the private schedules. It became the property of the county of Suffolk in 1882 at a loss to the projectors, and all indexes are now required to be made on the "descriptive" model, saving an immense amount of time and drudgery to the examiner of titles. It was another instance of Mr. Crocker laboring and others entering into his labors.

In December, 1873, Mr. Crocker was elected to the Common Council for Ward Six, and represented that ward and Ward Nine, covering nearly the same territory, during the years 1874, 1875, 1876, 1877, and 1878. Having no private or party ends to pursue, he was in a position to encounter the schemes of ward politicians with a free hand, and made some personal enemies, but he was highly respected by his fellow members in general and exercised a decided influence. He was one of the most prominent and effective speakers and was always listened to. A very determined and influential opponent attempted without success to separate him from his constituents and friends by a gerrymandering division of wards. In 1874 he was on the Committee of Public Lands and Printing. During the following years he was on the committees of Public Lands, Ordinances, and Judiciary. Among the measures proposed or supported by him was the ordinance prohibiting contractors from assigning their claims against the city and leaving their men unpaid. In 1885 he labored without success to change the beginning of the financial year and the management of the sinking fund. The first was afterwards effected under Mayor Matthews. On his retirement a complimentary dinner was given to him by prominent citizens, at which Mr. Henry Lee presided.

In the year 1877 the country was going through a long period of business depression, and everybody was discussing its causes. A favorite theory was that it had been occasioned by waste of capital, and that the remedy was to be found in the general practice of economy. This struck Mr. Crocker as a

harmful fallacy, that is to say, when considered as advice to capitalists having incomes larger than their needs. He became fascinated with the subject, and for the rest of his life he was continually turning it over in his mind and becoming more and more confident in the correctness of his views and clearer in his expression of them. Without making a study of political economy in general or caring much about other economic questions, he concentrated his economic thinking upon a single thesis, the possibility of a general overproduction as a cause of commercial depression. A thin volume, entitled "Excessive Supply a Cause of Commercial Distress," published in 1884, contains his earlier attempts to obtain a hearing, beginning with a letter to the Boston Daily Advertiser of August 8, 1877, and including an article which had appeared in the Atlantic Monthly for 1878 entitled "Saving versus Spending — The Hard Times — Two Theories as to the Causes and the Remedy." Then followed a series of thin volumes beginning with "The Depression in Trade and the Wages of Labor," 1886, with the felicitous motto from Proverbs, "There is that scattereth and yet increaseth, there is that withholdeth more than is meet, but it tendeth to poverty." In this he suggests that if a larger share of the profits of manufacturing were given to wage-earners, it would increase their purchasing power and consequent consumption, and tend to maintain equilibrium between production and consumption. Next came, in 1887, "Overproduction and Commercial Distress," in which he combats Mill's argument to prove the impossibility of a general overproduction, an argument apparently regarded by the economists as having overthrown all theories of "gluts" previously held. It is founded on the assumption that no man labors for anything which he does not expect to consume himself or to exchange for something else which he expects to consume, — a proposition which may be true in some primitive state of society, but which does not apply to modern industrial conditions. On the contrary, Mr. Crocker would say, modern industry is controlled by capitalists whose aim is the accumulation of fortunes and not of things which they expect to consume personally, to whom stoppage of operations, easy to the primitive worker who has supplied his own wants, is frequently worse than running at a loss and piling up unsalable goods. A pamphlet entitled "Excess of Supply, its Cause and

its Results," was printed in January, 1890. Mr. Crocker contributed two articles to the *Quarterly Journal of Economics*, — the first in April, 1877, on "General Overproduction," the second in April, 1892, on "The Overproduction Fallacy," — and an article by him on "Diminishing Returns from Investments" appeared in the *Social Economist* for April, 1893. Finally a little book entitled "The Cause of Hard Times" was published in 1895, of which a revised edition came out in 1896. In the mean time he was carrying on an active propaganda, and sent copies of his books to professors, institutions, business men, and in fact to everybody whose opinion he thought worth influencing. Almost all the college professors dissented from his conclusions. When he could engage one in a correspondence he followed him up with untiring pertinacity until the professor cried, "Hold, enough!" As he never met with anything that seemed to him a satisfactory answer to his own arguments, he could not understand why his opponent should not surrender unconditionally and make a public recantation of errors. In this, as in some other affairs of life, he showed an inability to make due allowance for ordinary human nature. But he was not altogether without the approbation of economists more or less professional. His views met the approval of Professor, afterwards President, Hadley, of Yale, of Professors Francis Bowen, J. Allen Smith, and F. Spencer Baldwin, of Messrs. David A. Wells, Carroll D. Wright, and others. In England his books were warmly welcomed by Mr. John A. Hobson, lecturer and author, who distributed copies among his countrymen. It was favorably received by Professor William Smart of Glasgow, who had been a manufacturer, and who remarked that many economists agreed with Mr. Crocker, but let the subject alone as something dangerous; also by Professor Francis Y. Edgeworth, of the British Economic Association, and Professor of Political Economy at Oxford. Business men generally agreed with Mr. Crocker. While the opposing professors dealt in formulas of an abstract nature, not very obviously applicable to facts, men conversant with the business situation expressed themselves in terms drawn more directly from practice. The venerable Hugh McCulloch, formerly Secretary of the Treasury, said in 1886 of "Depression in Trade and the Wages of Labor": "It is the best and clearest exposition of the cause of the depression which I have

seen. There is such a thing as overproduction, Mill to the contrary notwithstanding. It has been felt for many years throughout the world, and is unquestionably, as you have so clearly shown, the inevitable result of the invention and use of labor-saving machinery in all branches of industry." Mr. Francis B. Thurber, merchant, of New York, wrote, on July 7, 1886: "Business men know that periods of overproduction frequently occur, and those who have observed the phenomena of those periods know that they are invariably accompanied or closely followed by an underconsumption, or, in other words, a reduced purchasing power of the masses. . . . When an overstocked market forces a shutdown of the mills, it necessarily reduces the revenue and the purchasing power of the operatives."

What may be considered Mr. Crocker's farewell to the professional economists is characteristic and amusing. Chapter XVII. of the "Cause of Hard Times" is entitled "A Harvard Professor's Question." Coming across a Harvard examination paper containing the question, "Supposing everybody resolved to consume productively only, what would be the result?" he saw his opportunity and seized upon it with eagerness. It brought out distinctly the part which unproductive consumption, or spending, plays in his theory. In fact, his whole doctrine is that too many people *have* resolved to consume productively only, and have multiplied the means of production, otherwise their savings, beyond any ability to dispose of the products remuneratively. He at once wrote to Cambridge, asking for the proper answer to the question. The professor appealed to replied that the question was not his, but he imagined that his colleague would hold that the answer might properly depend on conditions of time and place. It may be remarked, in passing, that the question seems to apply more obviously to this world than to any other, and to the present time rather than to the past or future. Attempts to elicit anything more definite from that gentleman or from his associate failed. Mr. Crocker then goes on to answer the question himself, and to show that the first result would be the stoppage of the consumption of all luxuries and comforts not contributing to mankind's efficiency in production, with the result of reducing to idleness thousands whose work is to supply the material for an unproductive

consumption, and ultimately the absence of any market for the products resulting from the productive consumption. Mr. Crocker says sadly: "When I ask the professors what opinions they hold on these subjects, they either fail to take any notice of my questions, or, like Jack Bunsby, reply that the answer might properly depend on conditions of time and place. It may amuse one to speculate how high a mark the student would have received who should have been brilliant enough to write down this answer in his examination paper."

Mr. Crocker showed his critical sagacity in establishing the date and the authorship of the Book of Possessions of the Inhabitants of Boston, reproduced by the Record Commissioners early in their series. Their suggestion was that the list of land-owners had been made in 1652, after the discharge of William Aspinwall from the post of Recorder of Suffolk County. In the columns of the Daily Advertiser of November 21, 1877, Mr. Crocker showed from internal evidence that the book was written by Aspinwall during the period of his Recordership, 1644-1651,—a view which was fully corroborated soon after, when he obtained from Rhode Island the fac-simile of Aspinwall's indisputable signature, an account of which was given in the Advertiser of December 15 following. In a second edition the Record Commissioners acknowledged the force of Mr. Crocker's reasoning, and gave up their former hypothesis as untenable.

In 1878, being then attorney for the Franklin Savings Bank, Mr. Crocker, at the request of Charles R. Train, Esq., Attorney-General, drew the Order issued by the Savings Bank Commissioners under the provisions of Statute 1878, chap. 73. A savings-bank panic was then rapidly spreading. The rule laid down in the Order was that no depositor should be paid more than a certain percentage each year, and only on condition that if the bank should afterwards prove to be insolvent, he should be entitled to receive only such a sum as should be sufficient, with payments already made, to make up a dividend proportionate to the whole of his original claim. Thus those who hastened to get their money out would fail to gain any advantage. At the same time those who were in immediate want of money would be enabled to obtain as much as would in ordinary cases be sufficient for their immediate necessities.

The plan worked extremely well. Most savings banks took advantage of it, and runs were stopped.

On the 13th of April, 1880, Mr. Crocker was appointed, with Charles Allen and James M. Barker, Esquires, one of the commissioners to revise the Statutes of the Commonwealth. Their work was known as the Public Statutes of 1882. Without attempting to apportion the merits of this compilation, it may be said that Mr. Crocker considered himself entitled to special credit for simplifying the marginal notes and recasting the form of probate bonds.

Somewhat similar work was done by Mr. Crocker in the revision of the City Ordinances, in conjunction with Messrs. S. B. Stebbins, W. F. Wharton, and G. Morse, a commission appointed March 1, 1882.

It will be seen from the foregoing account that Mr. Crocker's love for the practical and useful dominated his life and work. He never attempted anything that he did not feel himself competent to perform, and what he did attempt he performed with great thoroughness and finish. Strictly honorable in his own motives, he was impatient of all crookedness, pretence, and humbug in others, and at times he may have appeared unduly severe in his judgments, but he was of a kind and genial nature and a good friend. His tastes were not especially literary; his book knowledge was such as came to him incidentally from his profession or from his economic theory. He was fond of pictures by modern artists, but cared little for, and was rather sceptical about, the old masters.

Mr. Crocker died on the 8th of March, 1902, of an affection of the heart, after an illness of about three weeks.

Mr. Crocker was twice married: first, on January 15, 1861, to Clara Garland Ballard, daughter of Joseph and Clarissa (Leavitt) Ballard, of Boston, by whom he had three sons, who survived him; and second, on April 29, 1893, to Ann Jane Fitz, daughter of William H. and Eliza Jane (Baxter) Fitz (or Fitzpatrick).

He was elected a member of the Massachusetts Historical Society on February 14, 1884. He was a member of the Bunker Hill Monument Association, the Massachusetts Charitable Society, the Massachusetts Charitable Fire Society, a Republican Institution, and of the Union, St. Botolph, Country, New Riding, and Unitarian clubs in Boston. He served

as clerk, treasurer, and director of the South Cove Corporation, director and president of the United States Hotel Company, clerk, treasurer, and president of the Proprietors of the Revere House, director of the Northern (New Hampshire) Railroad, chairman of the standing committee of the West Church, treasurer of the Boston Civil Service Reform Association, member of the General Committee of the Citizens' Association of Boston, president of the Boston Lying-in Hospital, and member of the Board of Managers of the Home for Aged Colored Women.





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